

MONDAY, APRIL 22, 2019

THIRTY-FIRST LEGISLATIVE DAY

The House met at 3:00 p.m. and was called to order by Mr. Speaker Casada.

The proceedings were opened with prayer by Rep. Faison.

Representative Faison led the House in the Pledge of Allegiance to the Flag.

ROLL CALL

The roll call was taken with the following results:

Present..... 90

Representatives present were Baum, Beck, Boyd, Bricken, Byrd, Calfee, Camper, Carr, Carter, Cepicky, Chism, Clemmons, Cochran, Coley, Cooper, Crawford, Curcio, Daniel, Dixie, Doggett, Dunn, Eldridge, Faison, Farmer, Freeman, Gant, Garrett, Griffey, Hakeem, Halford, Hall, Hardaway, Haston, Hawk, Hazlewood, Helton, Hicks, Hill T, Hodges, Holsclaw, Howell, Hulsey, Jernigan, Johnson C, Johnson G, Keisling, Kumar, Lamar, Lamberth, Littleton, Lynn, Marsh, Miller, Mitchell, Moon, Ogles, Potts, Powell, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Sanderson, Sexton C, Sexton J, Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Terry, Thompson, Tillis, Todd, Towns, Travis, Van Huss, Vaughan, Weaver, White, Whitson, Williams, Windle, Wright, Zachary, Mr. Speaker Casada -- 90

EXCUSED

The Speaker announced that the following members have been excused, pursuant to requests under **Rule No. 20**:

Representative Moody; personal

Representative Hurt; personal

PRESENT IN CHAMBER

Reps. Love, Jernigan, DeBerry, Carter and Leatherwood were recorded as being present in the Chamber.

COMMUNICATION
April 22, 2019

Representative Mary Littleton
Cordell Hull Building- Suite 634
425 5th Avenue North
Nashville, TN 37243

Re: National Conference of State Legislatures- Summit Preconference Meeting- Family First:
Foster Care Reform Policy Forum

Dear Representative Littleton,

As Speaker of the House of Representatives, I am nominating you to participate in the National Conference of State Legislatures' Summit Preconference Meeting, Family First: Foster Care Reform Policy Forum. The program is August 4, 2019, from 8:00a.m.- 2:00p.m., in Nashville, TN.

I am forwarding a copy of this letter to Beth Hladick at National Conference of State Legislatures. Ms. Hladick's office will be contacting you in the near future regarding this appointment.

I am confident that you will perform the duties of the office with the high standard of professionalism, dedication, and integrity that the citizens of Tennessee deserve and expect of their public servants.

Best Wishes,

/s/ Speaker Glen Casada

cc: Beth Hladick - NCSL
Cade Cothren
Connie Ridley
Anastasia Campbell
Tammy Letzler

COMMUNICATION
April 22, 2019

Chairman Mark White
Cordell Hull Building- Suite 624
425 5th Avenue North
Nashville, TN 37243

Re: National Conference of State Legislatures Summit Preconference Meeting- Addressing the
Causes and Consequences of Homeless Youth

Dear Chairman White,

1526

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MONDAY, APRIL 22, 2019 -- THIRTY-FIRST LEGISLATIVE DAY UNOFFICIAL VERSION

As Speaker of the House of Representatives, I am nominating you to participate in the National Conference of State Legislatures' Summit Preconference Meeting, Addressing the Causes and Consequences of Homeless Youth. The program is August 5, 2019, from 8:00a.m. -12:00 p.m., in Nashville, TN.

I am forwarding a copy of this letter to Beth Hladick at National Conference of State Legislatures. Ms. Hladick's office will be contacting you in the near future regarding this appointment.

I am confident that you will perform the duties of the office with the high standard of professionalism, dedication, and integrity that the citizens of Tennessee deserve and expect of their public servants.

Best Wishes,

/s/ Speaker Glen Casada

cc: Beth Hladick - NCSL
Cade Cothren
Connie Ridley
Anastasia Campbell
Tammy Letzler

COMMUNICATION
April 22, 2019

Chairman Mark White
Cordell Hull Building- Suite 624
425 5th Avenue North
Nashville, TN 37243

Re: National Conference of State Legislatures- Education Committee

Dear Chairman White,

As Speaker of the House of Representatives, I am appointing you to serve as a member of the National Conference of State Legislatures' Education Standing Committee. Your service begins immediately, ends January 12, 2021, and is served at the pleasure of the Speaker of the House of Representatives, as the appointing authority.

I am forwarding a copy of this letter to Beth Hladick with the National Conference of State Legislatures. Ms. Hladick's office will be contacting you in the near future regarding this appointment.

I am confident that you will perform the duties of the office with the high standard of professionalism, dedication, and integrity that the citizens of Tennessee deserve and expect of their public servants.

Best Wishes,

/s/ Speaker Glen Casada

cc: Lt. Gov. Randy McNally
Beth Hladick - NCSL
Cade Cothren
Connie Ridley
Karen Garrett
Anastasia Campbell
Tammy Letzler

COMMUNICATION

April 22, 2019

Representative Kirk Haston
Cordell Hull Building- Suite 596
425 5th Avenue North
Nashville, TN 37243

Re: National Conference of State Legislatures- Education Committee

Dear Representative Haston,

As Speaker of the House of Representatives, I am appointing you to serve as a member of the National Conference of State Legislatures' Education Standing Committee. Your service begins immediately, ends January 12, 2021, and is served at the pleasure of the Speaker of the House of Representatives, as the appointing authority.

I am forwarding a copy of this letter to Beth Hladick with the National Conference of State Legislatures. Ms. Hladick's office will be contacting you in the near future regarding this appointment.

I am confident that you will perform the duties of the office with the high standard of professionalism, dedication, and integrity that the citizens of Tennessee deserve and expect of their public servants.

Best Wishes,

/s/ Speaker Glen Casada

cc: Lt. Gov. Randy McNally
Beth Hladick - NCSL
Cade Cothren
Connie Ridley
Karen Garrett
Anastasia Campbell
Tammy Letzler

COMMUNICATION

April 22, 2019

Representative Debra Moody
Cordell Hull Building- Suite 650
425 5th Avenue North
Nashville, TN 37243

Re: National Conference of State Legislatures- Education Committee

Dear Representative Moody,

As Speaker of the House of Representatives, I am appointing you to serve as a member of the National Conference of State Legislatures' Education Standing Committee. Your service begins immediately, ends January 12, 2021, and is served at the pleasure of the Speaker of the House of Representatives, as the appointing authority.

I am forwarding a copy of this letter to Beth Hladick with the National Conference of State Legislatures. Ms. Hladick's office will be contacting you in the near future regarding this appointment.

I am confident that you will perform the duties of the office with the high standard of professionalism, dedication, and integrity that the citizens of Tennessee deserve and expect of their public servants.

Best Wishes,

/s/ Speaker Glen Casada

cc: Lt. Gov. Randy McNally
Beth Hladick - NCSL
Cade Cothren
Connie Ridley
Karen Garrett
Anastasia Campbell
Tammy Letzler

COMMUNICATION

April 22, 2019

Representative Jim Coley
Cordell Hull Building- Suite 652
425 5th Avenue North
Nashville, TN 37243

Re: National Conference of State Legislatures- Education Committee

1529

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MONDAY, APRIL 22, 2019 -- THIRTY-FIRST LEGISLATIVE DAY UNOFFICIAL VERSION

Dear Representative Coley,

As Speaker of the House of Representatives, I am appointing you to serve as a member of the National Conference of State Legislatures' Education Standing Committee. Your service begins immediately, ends January 12, 2021, and is served at the pleasure of the Speaker of the House of Representatives, as the appointing authority.

I am forwarding a copy of this letter to Beth Hladick with the National Conference of State Legislatures. Ms. Hladick's office will be contacting you in the near future regarding this appointment.

I am confident that you will perform the duties of the office with the high standard of professionalism, dedication, and integrity that the citizens of Tennessee deserve and expect of their public servants.

Best Wishes,

/s/ Speaker Glen Casada

cc: Lt. Gov. Randy McNally
Beth Hladick - NCSL
Cade Cothren
Connie Ridley
Karen Garrett
Anastasia Campbell
Tammy Letzler

COMMUNICATION
April 22, 2019

Representative John Ragan
Cordell Hull Building- Suite 614
425 5th Avenue North
Nashville, TN 37243

Re: National Conference of State Legislatures- Education Committee

Dear Representative Ragan,

As Speaker of the House of Representatives, I am appointing you to serve as a member of the National Conference of State Legislatures' Education Standing Committee. Your service begins immediately, ends January 12, 2021, and is served at the pleasure of the Speaker of the House of Representatives, as the appointing authority.

I am forwarding a copy of this letter to Beth Hladick with the National Conference of State Legislatures. Ms. Hladick's office will be contacting you in the near future regarding this appointment.

MONDAY, APRIL 22, 2019 -- THIRTY-FIRST LEGISLATIVE DAY UNOFFICIAL VERSION

I am confident that you will perform the duties of the office with the high standard of professionalism, dedication, and integrity that the citizens of Tennessee deserve and expect of their public servants.

Best Wishes,

/s/ Speaker Glen Casada

cc: Lt. Gov. Randy McNally
Beth Hladick - NCSL
Cade Cothren
Connie Ridley
Karen Garrett
Anastasia Campbell
Tammy Letzler

COMMUNICATION
April 22, 2019

Representative Ryan Williams
Cordell Hull Building- Suite 400
425 5th Avenue North
Nashville, TN 37243

Re: National Conference of State Legislatures -Education Committee

Dear Representative Williams,

As Speaker of the House of Representatives, I am appointing you to serve as a member of the National Conference of State Legislatures' Education Standing Committee. Your service begins immediately, ends January 12, 2021, and is served at the pleasure of the Speaker of the House of Representatives, as the appointing authority.

I am forwarding a copy of this letter to Beth Hladick with the National Conference of State Legislatures. Ms. Hladick's office will be contacting you in the near future regarding this appointment.

I am confident that you will perform the duties of the office with the high standard of professionalism, dedication, and integrity that the citizens of Tennessee deserve and expect of their public servants.

Best Wishes,

/s/ Speaker Glen Casada

cc: Lt. Gov. Randy McNally
Beth Hladick - NCSL
Cade Cothren
Connie Ridley

1531

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Karen Garrett
Anastasia Campbell
Tammy Letzler

COMMUNICATION
April 22, 2019

Representative Mary Littleton
Cordell Hull Building- Suite 634
425 5th Avenue North
Nashville, TN 37243

Re: National Conference of State Legislatures- Juvenile Justice Southern Region Site Visit

Dear Representative Littleton,

As Speaker of the House of Representatives, I am nominating you to participate in the National Conference of State Legislatures' Juvenile Justice Southern Region Site Visit. The program will begin June 25, 2019, through June 27, 2019, in Savannah, Georgia.

I am forwarding a copy of this letter to Beth Hladick at National Conference of State Legislatures. Ms. Hladick's office will be contacting you in the near future regarding this appointment.

I am confident that you will perform the duties of the office with the high standard of professionalism, dedication, and integrity that the citizens of Tennessee deserve and expect of their public servants.

Best Wishes,

/s/ Speaker Glen Casada

cc: Beth Hladick - NCSL
Cade Cothren
Connie Ridley
Anastasia Campbell
Tammy Letzler

COMMUNICATION
April 22, 2019

Chairman Michael G. Curcio
Cordell Hull Building- Suite 630
425 5th Avenue North
Nashville, TN 37243

Re: National Conference of State Legislatures - Juvenile Justice Southern Region Site Visit

1532

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MONDAY, APRIL 22, 2019 -- THIRTY-FIRST LEGISLATIVE DAY UNOFFICIAL VERSION

Dear Chairman Curcio,

As Speaker of the House of Representatives, I am nominating you to participate in the National Conference of State Legislatures' Juvenile Justice Southern Region Site Visit. The program will begin June 25, 2019, through June 27, 2019, in Savannah, Georgia.

I am forwarding a copy of this letter to Beth Hladick at National Conference of State Legislatures. Ms. Hladick's office will be contacting you in the near future regarding this appointment.

I am confident that you will perform the duties of the office with the high standard of professionalism, dedication, and integrity that the citizens of Tennessee deserve and expect of their public servants.

Best Wishes,

/s/ Speaker Glen Casada

cc: Beth Hladick - NCSL
Cade Cothren
Connie Ridley
Anastasia Campbell
Tammy Letzler

COMMUNICATION
April 22, 2019

Chairman Timothy Hill
Cordell Hull Building Suite 680
425 5th Avenue North
Nashville, TN 37243

Re: National Conference of State Legislatures - Communications, Financial Services and Interstate Commerce Committee

Dear Chairman Hill,

As Speaker of the House of Representatives, I am appointing you to serve as a member of the National Conference of State Legislatures' Communications, Financial Services and Interstate Commerce Standing Committee. Your service begins immediately, ends January 12, 2021, and is served at the pleasure of the Speaker of the House of Representatives, as the appointing authority.

I am forwarding a copy of this letter to Beth Hladick with the National Conference of State Legislatures. Ms. Hladick's office will be contacting you in the near future regarding this appointment.

MONDAY, APRIL 22, 2019 -- THIRTY-FIRST LEGISLATIVE DAY UNOFFICIAL VERSION

I am confident that you will perform the duties of the office with the high standard of professionalism, dedication, and integrity that the citizens of Tennessee deserve and expect of their public servants.

Best Wishes,

/s/ Speaker Glen Casada

cc: Lt. Gov. Randy McNally
Beth Hladick - NCSL
Cade Cothren
Connie Ridley
Karen Garrett
Anastasia Campbell
Tammy Letzler

COMMUNICATION
April 22, 2019

Representative Clay Doggett
Cordell Hull Building- Suite 580
425 5th Avenue North
Nashville, TN 37243

Re: National Conference of State Legislatures - Communications, Financial Services and Interstate Commerce Committee

Dear Representative Doggett,

As Speaker of the House of Representatives, I am appointing you to serve as a member of the National Conference of State Legislatures' Communications, Financial Services and Interstate Commerce Standing Committee. Your service begins immediately, ends January 12, 2021, and is served at the pleasure of the Speaker of the House of Representatives, as the appointing authority.

I am forwarding a copy of this letter to Beth Hladick with the National Conference of State Legislatures. Ms. Hladick's office will be contacting you in the near future regarding this appointment.

I am confident that you will perform the duties of the office with the high standard of professionalism, dedication, and integrity that the citizens of Tennessee deserve and expect of their public servants.

Best Wishes,

/s/ Speaker Glen Casada

cc: Lt. Gov. Randy McNally
Beth Hladick - NCSL

1534

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Cade Cothren
Connie Ridley
Karen Garrett
Anastasia Campbell
Tammy Letzler

COMMUNICATION
April 22, 2019

Representative Dennis Powers
Cordell Hull Building- Suite 674
425 5th Avenue North
Nashville, TN 37243

Re: National Conference of State Legislatures - Communications, Financial Services and Interstate Commerce Committee

Dear Representative Powers,

As Speaker of the House of Representatives, I am appointing you to serve as a member of the National Conference of State Legislatures' Communications, Financial Services and Interstate Commerce Standing Committee. Your service begins immediately, ends January 12, 2021, and is served at the pleasure of the Speaker of the House of Representatives, as the appointing authority.

I am forwarding a copy of this letter to Beth Hladick with the National Conference of State Legislatures. Ms. Hladick's office will be contacting you in the near future regarding this appointment.

I am confident that you will perform the duties of the office with the high standard of professionalism, dedication, and integrity that the citizens of Tennessee deserve and expect of their public servants.

Best Wishes,

/s/ Speaker Glen Casada

cc: Lt. Gov. Randy McNally
Beth Hladick - NCSL
Cade Cothren
Connie Ridley
Karen Garrett
Anastasia Campbell
Tammy Letzler

COMMUNICATION
April 22, 2019

Representative Curtis Johnson
Cordell Hull Building- Suite 678
425 5th Avenue North
Nashville, TN 37243

Re: National Conference of State Legislatures- Communications, Financial Services and Interstate Commerce Committee

Dear Representative Johnson,

As Speaker of the House of Representatives, I am appointing you to serve as a member of the National Conference of State Legislatures' Communications, Financial Services and Interstate Commerce Standing Committee. Your service begins immediately, ends January 12, 2021, and is served at the pleasure of the Speaker of the House of Representatives, as the appointing authority.

I am forwarding a copy of this letter to Beth Hladick with the National Conference of State Legislatures. Ms. Hladick's office will be contacting you in the near future regarding this appointment.

I am confident that you will perform the duties of the office with the high standard of professionalism, dedication, and integrity that the citizens of Tennessee deserve and expect of their public servants.

Best Wishes,

/s/ Speaker Glen Casada

cc: Lt. Gov. Randy McNally
Beth Hladick - NCSL
Cade Cothren
Connie Ridley
Karen Garrett
Anastasia Campbell
Tammy Letzler

COMMUNICATION
April 22, 2019

Representative Pat Marsh
Cordell Hull Building- Suite 676
425 5th Avenue North
Nashville, TN 37243

MONDAY, APRIL 22, 2019 -- THIRTY-FIRST LEGISLATIVE DAY UNOFFICIAL VERSION

Re: National Conference of State Legislatures - Communications, Financial Services and Interstate Commerce Committee

Dear Representative Marsh,

As Speaker of the House of Representatives, I am appointing you to serve as a member of the National Conference of State Legislatures' Communications, Financial Services and Interstate Commerce Standing Committee. Your service begins immediately, ends January 12, 2021, and is served at the pleasure of the Speaker of the House of Representatives, as the appointing authority.

I am forwarding a copy of this letter to Beth Hladick with the National Conference of State Legislatures. Ms. Hladick's office will be contacting you in the near future regarding this appointment.

I am confident that you will perform the duties of the office with the high standard of professionalism, dedication, and integrity that the citizens of Tennessee deserve and expect of their public servants.

Best Wishes,

/s/ Speaker Glen Casada

cc: Lt. Gov. Randy McNally
Beth Hladick - NCSL
Cade Cothren
Connie Ridley
Karen Garrett
Anastasia Campbell
Tammy Letzler

COMMUNICATION
April 22, 2019

Connie Ridley
Director, Legislative Administration
802 Cordell Hull Building
Nashville, TN 37243

RE: NCSL's Budget and Tax Academy Travel Approval

Dear Ms. Ridley,

I would like for the following persons to attend the 2019 NCSL Budget and Tax Academy:

June 26-28: NSCL- Budget and Tax Academy- Washington, D.C. (Chairman Susan Lynn and Representatives Andy Holt)

If additional information is needed, please contact Cade Cothren.

1537

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Thank you for your assistance with this matter.

Best Wishes,

/s/ Speaker Glen Casada

cc: Chairman Susan Lynn
Representative Andy Holt
Anastasia Campbell
Cade Cothren
Tammy Letzler

COMMUNICATION
April 22, 2019

Chairman Bryan Terry
Cordell Hull Building - Suite 646
425 5th Avenue North
Nashville, TN 37243

Re: National Conference of State Legislatures - Health Committee

Dear Chairman Terry,

As Speaker of the House of Representatives, I am appointing you to serve as a member of the National Conference of State Legislatures' Health Standing Committee. Your service begins immediately, ends January 12, 2021, and is served at the pleasure of the Speaker of the House of Representatives, as the appointing authority.

I am forwarding a copy of this letter to Beth Hladick with the National Conference of State Legislatures. Ms. Hladick's office will be contacting you in the near future regarding this appointment.

I am confident that you will perform the duties of the office with the high standard of professionalism, dedication, and integrity that the citizens of Tennessee deserve and expect of their public servants.

Best Wishes,

/s/ Speaker Glen Casada

cc: Lt. Gov. Randy McNally
Beth Hladick - NCSL
Cade Cothren
Connie Ridley
Karen Garrett
Anastasia Campbell

Tammy Letzler

COMMUNICATION

April 22, 2019

Representative Kevin Vaughan
Cordell Hull Building - Suite 648
425 5th Avenue North
Nashville, TN 37243

Re: National Conference of State Legislatures- Health Committee

Dear Representative Vaughan,

As Speaker of the House of Representatives, I am appointing you to serve as a member of the National Conference of State Legislatures' Health Standing Committee. Your service begins immediately, ends January 12, 2021, and is served at the pleasure of the Speaker of the House of Representatives, as the appointing authority.

I am forwarding a copy of this letter to Beth Hladick with the National Conference of State Legislatures. Ms. Hladick's office will be contacting you in the near future regarding this appointment.

I am confident that you will perform the duties of the office with the high standard of professionalism, dedication, and integrity that the citizens of Tennessee deserve and expect of their public servants.

Best Wishes,

/s/ Speaker Glen Casada

cc: Lt. Gov. Randy McNally
Beth Hladick - NCSL
Cade Cothren
Connie Ridley
Karen Garrett
Anastasia Campbell
Tammy Letzler

COMMUNICATION

April 22, 2019

Representative Sabi 'Doc' Kumar
Cordell Hull Building- Suite 654
425 5th Avenue North
Nashville, TN 37243

Re: National Conference of State Legislatures- Health Committee

1539

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Dear Representative Kumar,

As Speaker of the House of Representatives, I am appointing you to serve as a member of the National Conference of State Legislatures' Health Standing Committee. Your service begins immediately, ends January 12, 2021, and is served at the pleasure of the Speaker of the House of Representatives, as the appointing authority.

I am forwarding a copy of this letter to Beth Hladick with the National Conference of State Legislatures. Ms. Hladick's office will be contacting you in the near future regarding this appointment.

I am confident that you will perform the duties of the office with the high standard of professionalism, dedication, and integrity that the citizens of Tennessee deserve and expect of their public servants.

Best Wishes,

/s/ Speaker Glen Casada

cc: Lt. Gov. Randy McNally
Beth Hladick - NCSL
Cade Cothren
Connie Ridley
Karen Garrett
Anastasia Campbell
Tammy Letzler

COMMUNICATION
April 22, 2019

Representative Jerry Sexton
Cordell Hull Building - Suite 672
425 5th Avenue North
Nashville, TN 37243

Re: National Conference of State Legislatures- Health Committee

Dear Representative Sexton,

As Speaker of the House of Representatives, I am appointing you to serve as a member of the National Conference of State Legislatures' Health Standing Committee. Your service begins immediately, ends January 12, 2021, and is served at the pleasure of the Speaker of the House of Representatives, as the appointing authority.

I am forwarding a copy of this letter to Beth Hladick with the National Conference of State Legislatures. Ms. Hladick's office will be contacting you in the near future regarding this appointment.

MONDAY, APRIL 22, 2019 -- THIRTY-FIRST LEGISLATIVE DAY UNOFFICIAL VERSION

I am confident that you will perform the duties of the office with the high standard of professionalism, dedication, and integrity that the citizens of Tennessee deserve and expect of their public servants.

Best Wishes,

/s/ Speaker Glen Casada

cc: Lt. Gov. Randy McNally
Beth Hladick - NCSL
Cade Cothren
Connie Ridley
Karen Garrett
Anastasia Campbell
Tammy Letzler

COMMUNICATION
April 22, 2019

Representative Robin Smith
Cordell Hull Building- Suite 644
425 5th Avenue North
Nashville, TN 37243

Re: National Conference of State Legislatures- Health Committee

Dear Representative Smith,

As Speaker of the House of Representatives, I am appointing you to serve as a member of the National Conference of State Legislatures' Health Standing Committee. Your service begins immediately, ends January 12, 2021, and is served at the pleasure of the Speaker of the House of Representatives, as the appointing authority.

I am forwarding a copy of this letter to Beth Hladick with the National Conference of State Legislatures. Ms. Hladick's office will be contacting you in the near future regarding this appointment.

I am confident that you will perform the duties of the office with the high standard of professionalism, dedication, and integrity that the citizens of Tennessee deserve and expect of their public servants.

Best Wishes,

/s/ Speaker Glen Casada

cc: Lt. Gov. Randy McNally
Beth Hladick - NCSL
Cade Cothren
Connie Ridley

1541

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Karen Garrett
Anastasia Campbell
Tammy Letzler

COMMUNICATION
April 22, 2019

Representative Jay D. Reedy
Cordell Hull Building- Suite 402
425 5th Avenue North
Nashville, TN 37243

Re: National Conference of State Legislatures -Natural Resources and Infrastructure Committee

Dear Representative Reedy,

As Speaker of the House of Representatives, I am appointing you to serve as a member of the National Conference of State Legislatures' Natural Resources and Infrastructure Standing Committee. Your service begins immediately, ends January 12, 2021, and is served at the pleasure of the Speaker of the House of Representatives, as the appointing authority.

I am forwarding a copy of this letter to Beth Hladick with the National Conference of State Legislatures. Ms. Hladick's office will be contacting you in the near future regarding this appointment.

I am confident that you will perform the duties of the office with the high standard of professionalism, dedication, and integrity that the citizens of Tennessee deserve and expect of their public servants.

Best Wishes,

/s/ Speaker Glen Casada

cc: Lt. Gov. Randy McNally
Beth Hladick - NCSL
Cade Cothren
Connie Ridley
Karen Garrett
Anastasia Campbell
Tammy Letzler

COMMUNICATION
April 22, 2019

Representative Chris Todd
Cordell Hull Building- Suite 608
425 5th Avenue North
Nashville, TN 37243

1542

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MONDAY, APRIL 22, 2019 -- THIRTY-FIRST LEGISLATIVE DAY UNOFFICIAL VERSION

Re: National Conference of State Legislatures- Natural Resources and Infrastructure Committee

Dear Representative Todd,

As Speaker of the House of Representatives, I am appointing you to serve as a member of the National Conference of State Legislatures' Natural Resources and Infrastructure Standing Committee. Your service begins immediately, ends January 12, 2021, and is served at the pleasure of the Speaker of the House of Representatives, as the appointing authority.

I am forwarding a copy of this letter to Beth Hladick with the National Conference of State Legislatures. Ms. Hladick's office will be contacting you in the near future regarding this appointment.

I am confident that you will perform the duties of the office with the high standard of professionalism, dedication, and integrity that the citizens of Tennessee deserve and expect of their public servants.

Best Wishes,

/s/ Speaker Glen Casada

cc: Lt. Gov. Randy McNally
Beth Hladick - NCSL
Cade Cothren
Connie Ridley
Karen Garrett
Anastasia Campbell
Tammy Letzler

**COMMUNICATION
April 22, 2019**

Chairman Curtis Halford
Cordell Hull Building- Suite 426
425 5th Avenue North
Nashville, TN 37243

Re: National Conference of State Legislatures- Natural Resources and Infrastructure Committee

Dear Chairman Halford,

As Speaker of the House of Representatives, I am appointing you to serve as a member of the National Conference of State Legislatures' Natural Resources and Infrastructure Standing Committee. Your service begins immediately, ends January 12, 2021, and is served at the pleasure of the Speaker of the House of Representatives, as the appointing authority.

MONDAY, APRIL 22, 2019 -- THIRTY-FIRST LEGISLATIVE DAY UNOFFICIAL VERSION

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I am confident that you will perform the duties of the office with the high standard of professionalism, dedication, and integrity that the citizens of Tennessee deserve and expect of their public servants.

Best Wishes,

/s/ Speaker Glen Casada

cc: Lt. Gov. Randy McNally
Beth Hladick - NCSL
Cade Cothren
Connie Ridley
Karen Garrett
Anastasia Campbell
Tammy Letzler

COMMUNICATION
April 22, 2019

Deputy Speaker Matthew Hill
Cordell Hull Building - Suite 610
425 5th Avenue North
Nashville, TN 37243

Re: National Conference of State Legislatures- Redistricting and Elections Committee

Dear Deputy Speaker Hill,

As Speaker of the House of Representatives, I am appointing you to serve as a member of the National Conference of State Legislatures' Redistricting and Elections Standing Committee. Your service begins immediately, ends January 12, 2021, and is served at the pleasure of the Speaker of the House of Representatives, as the appointing authority.

I am forwarding a copy of this letter to Beth Hladick with the National Conference of State Legislatures. Ms. Hladick's office will be contacting you in the near future regarding this appointment.

I am confident that you will perform the duties of the office with the high standard of professionalism, dedication, and integrity that the citizens of Tennessee deserve and expect of their public servants.

Best Wishes,

/s/ Speaker Glen Casada

cc: Lt. Gov. Randy McNally
Beth Hladick - NCSL
Cade Cothren
Connie Ridley
Karen Garrett
Anastasia Campbell
Tammy Letzler

COMMUNICATION
April 22, 2019

Chairman Cameron Sexton
Cordell Hull Building- Suite 604
425 5th Avenue North
Nashville, TN 37243

Re: National Conference of State Legislatures- Redistricting and Elections Committee

Dear Chairman Sexton,

As Speaker of the House of Representatives, I am appointing you to serve as a member of the National Conference of State Legislatures' Redistricting and Elections Standing Committee. Your service begins immediately, ends January 12, 2021, and is served at the pleasure of the Speaker of the House of Representatives, as the appointing authority.

I am forwarding a copy of this letter to Beth Hladick with the National Conference of State Legislatures. Ms. Hladick's office will be contacting you in the near future regarding this appointment.

I am confident that you will perform the duties of the office with the high standard of professionalism, dedication, and integrity that the citizens of Tennessee deserve and expect of their public servants.

Best Wishes,

/s/ Speaker Glen Casada

cc: Lt. Gov. Randy McNally
Beth Hladick - NCSL
Cade Cothren
Connie Ridley
Karen Garrett
Anastasia Campbell
Tammy Letzler

COMMUNICATION
April 22, 2019

1545

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MONDAY, APRIL 22, 2019 -- THIRTY-FIRST LEGISLATIVE DAY UNOFFICIAL VERSION

Representative Rick Tillis
Cordell Hull Building - Suite 518
425 5th Avenue North
Nashville, TN 37243

Re: National Conference of State Legislatures- Redistricting and Elections Committee

Dear Representative Tillis,

As Speaker of the House of Representatives, I am appointing you to serve as a member of the National Conference of State Legislatures' Redistricting and Elections Standing Committee. Your service begins immediately, ends January 12, 2021, and is served at the pleasure of the Speaker of the House of Representatives, as the appointing authority.

I am forwarding a copy of this letter to Beth Hladick with the National Conference of State Legislatures. Ms. Hladick's office will be contacting you in the near future regarding this appointment.

I am confident that you will perform the duties of the office with the high standard of professionalism, dedication, and integrity that the citizens of Tennessee deserve and expect of their public servants.

Best Wishes,

/s/ Speaker Glen Casada

cc: Lt. Gov. Randy McNally
Beth Hladick - NCSL
Cade Cothren
Connie Ridley
Karen Garrett
Anastasia Campbell
Tammy Letzler

COMMUNICATION
April 22, 2019

Chairman Clark Boyd
Cordell Hull Building- Suite 528
425 5th Avenue North
Nashville, TN 37243

Re: National Conference of State Legislatures- Labor and Economic Development Committee

Dear Chairman Boyd,

As Speaker of the House of Representatives, I am appointing you to serve as a member of the National Conference of State Legislatures' Labor and Economic Development Standing

1546

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MONDAY, APRIL 22, 2019 -- THIRTY-FIRST LEGISLATIVE DAY UNOFFICIAL VERSION

Committee. Your service begins immediately, ends January 12, 2021, and is served at the pleasure of the Speaker of the House of Representatives, as the appointing authority.

I am forwarding a copy of this letter to Beth Hladick with the National Conference of State Legislatures. Ms. Hladick's office will be contacting you in the near future regarding this appointment.

I am confident that you will perform the duties of the office with the high standard of professionalism, dedication, and integrity that the citizens of Tennessee deserve and expect of their public servants.

Best Wishes,

/s/ Speaker Glen Casada

cc: Lt. Gov. Randy McNally
Beth Hladick - NCSL
Cade Cothren
Connie Ridley
Karen Garrett
Anastasia Campbell
Tammy Letzler

COMMUNICATION
April 22, 2019

Chairman Cameron Sexton
Cordell Hull Building - Suite 604
425 5th Avenue North
Nashville, TN 37243

Re: National Conference of State Legislatures- Budgets and Revenue Committee

Dear Chairman Sexton,

As Speaker of the House of Representatives, I am appointing you to serve as a member of the National Conference of State Legislatures' Budgets and Revenue Standing Committee. Your service begins immediately, ends January 12, 2021, and is served at the pleasure of the Speaker of the House of Representatives, as the appointing authority.

I am forwarding a copy of this letter to Beth Hladick with the National Conference of State Legislatures. Ms. Hladick's office will be contacting you in the near future regarding this appointment.

I am confident that you will perform the duties of the office with the high standard of professionalism, dedication, and integrity that the citizens of Tennessee deserve and expect of their public servants.

Best Wishes,

1547

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/s/ Speaker Glen Casada

cc: Lt. Gov. Randy McNally
Beth Hladick - NCSL
Cade Cothren
Connie Ridley
Karen Garrett
Anastasia Campbell
Tammy Letzler

COMMUNICATION
April 22, 2019

Representative Andy Holt
Cordell Hull Building- Suite 642
425 5th Avenue North
Nashville, TN 37243

Re: National Conference of State Legislatures- Budgets and Revenue Committee

Dear Representative Holt,

As Speaker of the House of Representatives, I am appointing you to serve as a member of the National Conference of State Legislatures' Budgets and Revenue Standing Committee. Your service begins immediately, ends January 12, 2021, and is served at the pleasure of the Speaker of the House of Representatives, as the appointing authority.

I am forwarding a copy of this letter to Beth Hladick with the National Conference of State Legislatures. Ms. Hladick's office will be contacting you in the near future regarding this appointment.

I am confident that you will perform the duties of the office with the high standard of professionalism, dedication, and integrity that the citizens of Tennessee deserve and expect of their public servants.

Best Wishes,

/s/ Speaker Glen Casada

cc: Lt. Gov. Randy McNally
Beth Hladick - NCSL
Cade Cothren
Connie Ridley
Karen Garrett
Anastasia Campbell
Tammy Letzler

COMMUNICATION
April 22, 2019

Deputy Speaker Matthew Hill
Cordell Hull Building - Suite 610
425 5th Avenue North
Nashville, TN 37243

Re: National Conference of State Legislatures- Budgets and Revenue Committee

Dear Deputy Speaker Hill,

As Speaker of the House of Representatives, I am appointing you to serve as a member of the National Conference of State Legislatures' Budgets and Revenue Standing Committee. Your service begins immediately, ends January 12, 2021, and is served at the pleasure of the Speaker of the House of Representatives, as the appointing authority.

I am forwarding a copy of this letter to Beth Hladick with the National Conference of State Legislatures. Ms. Hladick's office will be contacting you in the near future regarding this appointment.

I am confident that you will perform the duties of the office with the high standard of professionalism, dedication, and integrity that the citizens of Tennessee deserve and expect of their public servants.

Best Wishes,

/s/ Speaker Glen Casada

cc: Lt. Gov. Randy McNally
Beth Hladick - NCSL
Cade Cothren
Connie Ridley
Karen Garrett
Anastasia Campbell
Tammy Letzler

COMMUNICATION
April 22, 2019

Chairman Susan Lynn
Cordell Hull Building - Suite 622
425 5th Avenue North
Nashville, TN 37243

Re: National Conference of State Legislatures- Budgets and Revenue Committee

Dear Chairman Lynn,

1549

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MONDAY, APRIL 22, 2019 -- THIRTY-FIRST LEGISLATIVE DAY UNOFFICIAL VERSION

As Speaker of the House of Representatives, I am appointing you to serve as a member of the National Conference of State Legislatures' Budgets and Revenue Standing Committee. Your service begins immediately, ends January 12, 2021, and is served at the pleasure of the Speaker of the House of Representatives, as the appointing authority.

I am forwarding a copy of this letter to Beth Hladick with the National Conference of State Legislatures. Ms. Hladick's office will be contacting you in the near future regarding this appointment.

I am confident that you will perform the duties of the office with the high standard of professionalism, dedication, and integrity that the citizens of Tennessee deserve and expect of their public servants.

Best Wishes,

/s/ Speaker Glen Casada

cc: Lt. Gov. Randy McNally
Beth Hladick - NCSL
Cade Cothren
Connie Ridley
Karen Garrett
Anastasia Campbell
Tammy Letzler

COMMUNICATION
April 22, 2019

Chairman John Mark Windle
Cordell Hull Building- Suite 428
425 5th Avenue North
Nashville, TN 37243

Re: National Conference of State Legislatures- Budgets and Revenue Committee

Dear Chairman Windle,

As Speaker of the House of Representatives, I am appointing you to serve as a member of the National Conference of State Legislatures' Budgets and Revenue Standing Committee. Your service begins immediately, ends January 12, 2021, and is served at the pleasure of the Speaker of the House of Representatives, as the appointing authority.

I am forwarding a copy of this letter to Beth Hladick with the National Conference of State Legislatures. Ms. Hladick's office will be contacting you in the near future regarding this appointment.

I am confident that you will perform the duties of the office with the high standard of professionalism, dedication, and integrity that the citizens of Tennessee deserve and expect of their public servants.

1550

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Best Wishes,

/s/ Speaker Glen Casada

cc: Lt. Gov. Randy McNally
Beth Hladick - NCSL
Cade Cothren
Connie Ridley
Karen Garrett
Anastasia Campbell
Tammy Letzler

COMMUNICATION
April 22, 2019

Chairman Michael G. Curcio
Cordell Hull Building- Suite 630
425 5th Avenue North
Nashville, TN 37243

Re: National Conference of State Legislatures - Law, Criminal Justice and Public Safety Committee

Dear Chairman Curcio,

As Speaker of the House of Representatives, I am appointing you to serve as a member of the National Conference of State Legislatures' Law, Criminal Justice and Public Safety Standing Committee. Your service begins immediately, ends January 12, 2021, and is served at the pleasure of the Speaker of the House of Representatives, as the appointing authority.

I am forwarding a copy of this letter to Beth Hladick with the National Conference of State Legislatures. Ms. Hladick's office will be contacting you in the near future regarding this appointment.

I am confident that you will perform the duties of the office with the high standard of professionalism, dedication, and integrity that the citizens of Tennessee deserve and expect of their public servants.

Best Wishes,

/s/ Speaker Glen Casada

cc: Lt. Gov. Randy McNally
Beth Hladick - NCSL
Cade Cothren
Connie Ridley
Karen Garrett
Anastasia Campbell

Tammy Letzler

COMMUNICATION

April 22, 2019

Representative Andrew Farmer
Cordell Hull Building - Suite 618
425 5th Avenue North
Nashville, TN 37243

Re: National Conference of State Legislatures - Law, Criminal Justice and Public Safety Committee

Dear Representative Farmer,

As Speaker of the House of Representatives, I am appointing you to serve as a member of the National Conference of State Legislatures' Law, Criminal Justice and Public Safety Standing Committee. Your service begins immediately, ends January 12, 2021, and is served at the pleasure of the Speaker of the House of Representatives, as the appointing authority.

I am forwarding a copy of this letter to Beth Hladick with the National Conference of State Legislatures. Ms. Hladick's office will be contacting you in the near future regarding this appointment.

I am confident that you will perform the duties of the office with the high standard of professionalism, dedication, and integrity that the citizens of Tennessee deserve and expect of their public servants.

Best Wishes,

/s/ Speaker Glen Casada

cc: Lt. Gov. Randy McNally
Beth Hladick - NCSL
Cade Cothren
Connie Ridley
Karen Garrett
Anastasia Campbell
Tammy Letzler

COMMUNICATION

April 22, 2019

Representative Karen D. Camper
Cordell Hull Building- Suite 664
425 5th Avenue North
Nashville, TN 37243

1552

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MONDAY, APRIL 22, 2019 -- THIRTY-FIRST LEGISLATIVE DAY UNOFFICIAL VERSION

Re: National Conference of State Legislatures - Law, Criminal Justice and Public Safety Committee

Dear Representative Camper,

As Speaker of the House of Representatives, I am appointing you to serve as a member of the National Conference of State Legislatures' Law, Criminal Justice and Public Safety Standing Committee. Your service begins immediately, ends January 12, 2021, and is served at the pleasure of the Speaker of the House of Representatives, as the appointing authority.

I am forwarding a copy of this letter to Beth Hladick with the National Conference of State Legislatures. Ms. Hladick's office will be contacting you in the near future regarding this appointment.

I am confident that you will perform the duties of the office with the high standard of professionalism, dedication, and integrity that the citizens of Tennessee deserve and expect of their public servants.

Best Wishes,

/s/ Speaker Glen Casada

cc: Lt. Gov. Randy McNally
Beth Hladick - NCSL
Cade Cothren
Connie Ridley
Karen Garrett
Anastasia Campbell
Tammy Letzler

COMMUNICATION
April 22, 2019

Leader William Lamberth
Cordell Hull Building - Suite 602
425 5th Avenue North
Nashville, TN 37243

Re: National Conference of State Legislatures - Law, Criminal Justice and Public Safety Committee

Dear Leader Lamberth,

As Speaker of the House of Representatives, I am appointing you to serve as a member of the National Conference of State Legislatures' Law, Criminal Justice and Public Safety Standing Committee. Your service begins immediately, ends January 12, 2021, and is served at the pleasure of the Speaker of the House of Representatives, as the appointing authority.

I am forwarding a copy of this letter to Beth Hladick with the National Conference of State Legislatures. Ms. Hladick's office will be contacting you in the near future regarding this appointment.

1553

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I am confident that you will perform the duties of the office with the high standard of professionalism, dedication, and integrity that the citizens of Tennessee deserve and expect of their public servants.

Best Wishes,

/s/ Speaker Glen Casada

cc: Lt. Gov. Randy McNally
Beth Hladick - NCSL
Cade Cothren
Connie Ridley
Karen Garrett
Anastasia Campbell
Tammy Letzler

COMMUNICATION
April 22, 2019

Kenny Hawkins
106 St. Mary's Court
Johnson City, TN 37601

Re: Tennessee Sports Hall of Fame Board

Dear Mr. Hawkins,

As Speaker of the House of Representatives, acting pursuant to Chapter 88 of the Public Acts of 2019, I am appointing you to serve as an East Grand Division member of the Tennessee Sports Hall of Fame. Your service begins immediately, ends July 1, 2021, and is served at the pleasure of the Speaker of the House of Representatives, as the appointing authority.

I am forwarding a copy of this letter to Mark Ezell, Commissioner of the Department of Tourist Development. Mr. Ezell's office will be contacting you in the near future regarding this appointment.

I am confident that you will perform the duties of the office with the high standard of professionalism, dedication, and integrity that the citizens of Tennessee deserve and expect of their public servants.

Best Wishes,

/s/ Speaker Glen Casada

cc: Lt. Gov. Randy McNally
Mark Ezell, Commissioner - Department of Tourist Development
Cody York, 8th Floor, Snodgrass Tower
Alex Martin, G-7 State Capitol Bldg.

1554

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Cade Cothren
Connie Ridley
Karen Garrett
Anastasia Campbell
Tammy Letzler

COMMUNICATION
April 22, 2019

Scott Carter
P.O. Box 70707
Johnson City, TN 37614

Re: Tennessee Sports Hall of Fame Board

Dear Mr. Carter,

As Speaker of the House of Representatives, acting pursuant to Chapter 88 of the Public Acts of 2019, I am appointing you to serve as an East Grand Division member of the Tennessee Sports Hall of Fame. Your service begins immediately, ends July 1, 2021, and is served at the pleasure of the Speaker of the House of Representatives, as the appointing authority.

I am forwarding a copy of this letter to Mark Ezell, Commissioner of the Department of Tourist Development. Mr. Ezell's office will be contacting you in the near future regarding this appointment.

I am confident that you will perform the duties of the office with the high standard of professionalism, dedication, and integrity that the citizens of Tennessee deserve and expect of their public servants.

Best Wishes,

/s/ Speaker Glen Casada

cc: Lt. Gov. Randy McNally
Mark Ezell, Commissioner - Department of Tourist Development
Cody York, 8th Floor, Snodgrass Tower
Alex Martin, G-7 State Capitol Bldg.
Cade Cothren
Connie Ridley
Karen Garrett
Anastasia Campbell
Tammy Letzler

COMMUNICATION
April 22, 2019

Chris Massaro

1555

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MONDAY, APRIL 22, 2019 -- THIRTY-FIRST LEGISLATIVE DAY UNOFFICIAL VERSION

1500 Greenland Drive
Murfreesboro, TN 37132

Re: Tennessee Sports Hall of Fame Board

Dear Mr. Massaro,

As Speaker of the House of Representatives, acting pursuant to Chapter 88 of the Public Acts of 2019, I am appointing you to serve as a Middle Grand Division member of the Tennessee Sports Hall of Fame. Your service begins immediately, ends July 1, 2021, and is served at the pleasure of the Speaker of the House of Representatives, as the appointing authority.

I am forwarding a copy of this letter to Mark Ezell, Commissioner of the Department of Tourist Development. Mr. Ezell's office will be contacting you in the near future regarding this appointment.

I am confident that you will perform the duties of the office with the high standard of professionalism, dedication, and integrity that the citizens of Tennessee deserve and expect of their public servants.

Best Wishes,

/s/ Speaker Glen Casada

cc: Lt. Gov. Randy McNally
Mark Ezell, Commissioner - Department of Tourist Development
Cody York, 8th Floor, Snodgrass Tower
Alex Martin, G-7 State Capitol Bldg.
Cade Cothren
Connie Ridley
Karen Garrett
Anastasia Campbell
Tammy Letzler

COMMUNICATION
April 22, 2019

Keith Boring
2201 8th Ave. South #302
Nashville, TN 37204

Re: Tennessee Sports Hall of Fame Board

Dear Mr. Boring,

As Speaker of the House of Representatives, acting pursuant to Chapter 88 of the Public Acts of 2019, I am appointing you to serve as a Middle Grand Division member of the Tennessee Sports Hall of Fame. Your service begins immediately, ends July 1, 2021, and is served at the pleasure of the Speaker of the House of Representatives, as the appointing authority.

1556

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I am forwarding a copy of this letter to Mark Ezell, Commissioner of the Department of Tourist Development. Mr. Ezell's office will be contacting you in the near future regarding this appointment.

I am confident that you will perform the duties of the office with the high standard of professionalism, dedication, and integrity that the citizens of Tennessee deserve and expect of their public servants.

Best Wishes,

/s/ Speaker Glen Casada

cc: Lt. Gov. Randy McNally
Mark Ezell, Commissioner - Department of Tourist Development
Cody York, 8th Floor, Snodgrass Tower
Alex Martin, G-7 State Capitol Bldg.
Cade Cothren
Connie Ridley
Karen Garrett
Anastasia Campbell
Tammy Letzler

COMMUNICATION
April 22, 2019

Kyle Spurgeon
197 Auditorium Street
Jackson, TN 38301

Re: Tennessee Sports Hall of Fame Board

Dear Mr. Spurgeon,

As Speaker of the House of Representatives, acting pursuant to Chapter 88 of the Public Acts of 2019, I am appointing you to serve as a West Grand Division member of the Tennessee Sports Hall of Fame. Your service begins immediately, ends July 1, 2021, and is served at the pleasure of the Speaker of the House of Representatives, as the appointing authority.

I am forwarding a copy of this letter to Mark Ezell, Commissioner of the Department of Tourist Development. Mr. Ezell's office will be contacting you in the near future regarding this appointment.

I am confident that you will perform the duties of the office with the high standard of professionalism, dedication, and integrity that the citizens of Tennessee deserve and expect of their public servants.

Best Wishes,

/s/ Speaker Glen Casada

cc: Lt. Gov. Randy McNally
Mark Ezell, Commissioner - Department of Tourist Development
Cody York, 8th Floor, Snodgrass Tower
Alex Martin, G-7 State Capitol Bldg.
Cade Cothren
Connie Ridley
Karen Garrett
Anastasia Campbell
Tammy Letzler

COMMUNICATION
April 22, 2019

Marianne Dunavant
5900 Poplar Avenue Suite- 202
Memphis, TN 38119

Re: Tennessee Sports Hall of Fame Board

Dear Ms. Dunavant,

As Speaker of the House of Representatives, acting pursuant to Chapter 88 of the Public Acts of 2019, I am appointing you to serve as a West Grand Division member of the Tennessee Sports Hall of Fame. Your service begins immediately, ends July 1, 2021, and is served at the pleasure of the Speaker of the House of Representatives, as the appointing authority.

I am forwarding a copy of this letter to Mark Ezell, Commissioner of the Department of Tourist Development. Mr. Ezell's office will be contacting you in the near future regarding this appointment.

I am confident that you will perform the duties of the office with the high standard of professionalism, dedication, and integrity that the citizens of Tennessee deserve and expect of their public servants.

Best Wishes,

/s/ Speaker Glen Casada

cc: Lt. Gov. Randy McNally
Mark Ezell, Commissioner - Department of Tourist Development
Cody York, 8th Floor, Snodgrass Tower
Alex Martin, G-7 State Capitol Bldg.
Cade Cothren
Connie Ridley
Karen Garrett
Anastasia Campbell
Tammy Letzler

1558

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SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Resolution No. 106 Rep. Littleton as prime sponsor.

House Joint Resolution No. 133 Reps. Haston, Hicks, Littleton, Tillis, White, Lynn, Hazlewood, Thompson, Camper, Helton, Calfee, Leatherwood, Reedy, Smith, Love and Sherrell as prime sponsors.

House Bill No. 9 Rep. Hardaway as prime sponsor.

House Bill No. 174 Reps. Ragan and Howell as prime sponsors.

House Bill No. 197 Reps. Smith, T. Hill, Bricken, Parkinson, Keisling and Doggett as prime sponsors.

House Bill No. 247 Reps. Weaver, Helton, Terry, Bricken, Smith and Faison as prime sponsors.

House Bill No. 268 Reps. Thompson, White, Cepicky, Helton, Moon, Calfee, Powell, Tillis, Wright and Love as prime sponsors.

House Bill No. 339 Rep. Terry as prime sponsor.

House Bill No. 471 Rep. Hardaway as prime sponsor.

House Bill No. 557 Rep. Williams as prime sponsor.

House Bill No. 559 Reps. Clemmons and Hardaway as prime sponsors.

House Bill No. 623 Reps. Sherrell, Reedy, Williams, Hicks, Thompson, Hall, Garrett, Love, Helton, Moon, Powers, Windle, Lamberth, Howell and Rudd as prime sponsors.

House Bill No. 632 Reps. Hardaway, Love, Todd and Smith as prime sponsors.

House Bill No. 643 Reps. Bricken, Helton, Hazlewood, Howell, Byrd, Doggett, Calfee, Vaughan, Powell, Chism, Ogles, Ragan, Williams, Crawford, Tillis, Hardaway, Powers, Smith, White, Reedy, Moon, Terry, Hicks, Hall, Marsh, Curcio, Holt, Shaw, Cochran, Weaver, Keisling, Windle and Haston as prime sponsors.

House Bill No. 676 Reps. Smith and White as prime sponsors.

House Bill No. 710 Reps. Smith and Helton as prime sponsors.

House Bill No. 711 Reps. Smith and Helton as prime sponsors.

MONDAY, APRIL 22, 2019 -- THIRTY-FIRST LEGISLATIVE DAY UNOFFICIAL VERSION

House Bill No. 715 Rep. Hardaway as prime sponsor.

House Bill No. 771 Reps. Williams and Holsclaw as prime sponsors.

House Bill No. 794 Reps. Hardaway and Helton as prime sponsors.

House Bill No. 874 Reps. Weaver, Todd, Smith, White and Ragan as prime sponsors.

House Bill No. 886 Reps. Hardaway and Camper as prime sponsors.

House Bill No. 945 Reps. Smith and Hardaway as prime sponsors.

House Bill No. 1016 Reps. Smith, Williams, Lynn, Cochran, Marsh, T. Hill, Terry and Powers as prime sponsors.

House Bill No. 1029 Reps. Leatherwood, Williams, Cochran, Cepicky and Terry as prime sponsors.

House Bill No. 1077 Reps. Smith, White, Carter and Bricken as prime sponsors.

House Bill No. 1163 Reps. Hardaway, White and Helton as prime sponsors.

House Bill No. 1192 Reps. Cochran, Zachary, Powers, Sherrell, Williams and Hardaway as prime sponsors.

House Bill No. 1317 Rep. Bricken as prime sponsor.

House Bill No. 1324 Reps. Hardaway, Daniel and Thompson as prime sponsors.

House Bill No. 1328 Reps. Weaver, Smith and Kumar as prime sponsors.

House Bill No. 1339 Reps. Hardaway, Powell, Thompson, Clemmons, Freeman, Lamar, Smith, Camper and Helton as prime sponsors.

House Bill No. 1449 Reps. Love, Hardaway, Staples, Freeman, Clemmons and Powell as prime sponsors.

House Bill No. 1461 Reps. Camper, Leatherwood and Thompson as prime sponsors.

House Bill No. 1483 Reps. Love, Powell, Helton, Jernigan and Towns as prime sponsors.

**MESSAGE FROM THE SENATE
April 22, 2019**

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution No. 154, was read for the first time on Monday, April 15th, it was read for the second time on Wednesday, April 17th and the third reading was on Thursday, April 18th. Senate Joint Resolution No. 154 was adopted by a majority vote of the Senate of the One Hundred Eleventh General Assembly of the State of Tennessee, pursuant to Article XI, Section 3 of the Constitution of Tennessee.

1560

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RUSSELL A. HUMPHREY, Chief Clerk

MESSAGE FROM THE SENATE

April 22, 2019

MR. SPEAKER: I am directed to transmit to the House, Senate Bill No. 1107; passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

Senate Bill No. 1107 -- Traffic Safety - As introduced, establishes requirements for the operation of electric foot scooters. - Amends TCA Title 55, Chapter 1; Title 55, Chapter 10; Title 55, Chapter 12 and Title 55, Chapter 8. by *Dickerson. (*HB1220 by *Potts, *Lamar)

MESSAGE FROM THE SENATE

April 22, 2019

MR. SPEAKER: I am directed to transmit to the House, Senate Bill No. 1257; passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

Senate Bill No. 1257 -- Abortion - As introduced, enacts the "Human Life Protection Act," which bans abortion in this state effective upon the U.S. Supreme Court overturning Roe v. Wade or amending the U.S. Constitution to allow states to prohibit abortion; creates exception for situations where the abortion is necessary to prevent the death of pregnant woman or prevent serious risk of substantial and irreversible impairment of major bodily function; prohibits prosecution of a woman upon whom an abortion is performed or attempted. - Amends TCA Section 9-4-5116; Title 37, Chapter 10, Part 3; Title 39, Chapter 13, Part 2; Title 39, Chapter 15, Part 2; Title 39, Chapter 13, Part 1; Title 63, Chapter 9; Title 63, Chapter 6; Title 68 and Title 71, Chapter 5. by *Gresham. (*HB1029 by *Lynn, *Gant, *Zachary, *Boyd, *Whitson, *Moody, *Calfee, *Faison, *Griffey, *Carr, *Dunn, *Vaughan, *Baum, *Haston, *Reedy, *Ragan, *Byrd, *Kumar, *Lamberth, *Tillis, *Weaver, *Russell, *Hulsey, *White, *Marsh, *Farmer, *Hicks, *Littleton, *Garrett, *Sanderson, *Rudd, *Crawford, *Sparks, *Travis, *Moon, *Hurt, *Smith, *Todd, *Keisling, *Daniel, *Johnson C, *Powers, *Hawk, *Ogles, *Sherrell, *Carter, *Hall, *Holt, *Helton, *Sexton J, *Leatherwood, *Williams, *Cochran, *Cepicky, *Terry)

MESSAGE FROM THE SENATE

April 22, 2019

MR. SPEAKER: I am directed to transmit to the House, Senate Bill No. 614; passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

***Senate Bill No. 614** -- Health, Dept. of - As introduced, requires the department to study the feasibility of requiring emergency rooms to report data on incidences of persons presenting at the emergency room within 30 days of an invasive surgical procedure that was performed at a non-hospital facility; requires the department to submit a report of findings and

1561

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its recommendations no later than January 1, 2020. - Amends TCA Title 4; Title 63; Title 68 and Title 71. by *Reeves. (HB711 by *Terry, *Todd, *Smith, *Helton)

WELCOMING AND HONORING

RECOGNITION IN THE WELL

Representative Lamberth was recognized in the Well to honor the intern class of 2019.

RECOGNITION IN THE WELL

Representative Travis was recognized in the Well to honor Cindi Leach, Ms. Wheelchair Tennessee 2019.

RESOLUTIONS

Pursuant to **Rule No. 17**, the following resolutions were introduced and placed on the Consent Calendar for April 23, 2019:

House Resolution No. 107 -- Memorials, Interns - Thomas E. King. by *Love.

House Resolution No. 108 -- Memorials, Recognition - Eliza Smith. by *Hicks.

House Resolution No. 109 -- Memorials, Retirement - Master Chief Petty Officer Ellis Eugene Picheloupe. by *Holt.

***House Joint Resolution No. 521** -- Memorials, Professional Achievement - Carma Dennis McGee, Tennessee Court of Appeals. by *Holt.

***House Joint Resolution No. 522** -- Memorials, Academic Achievement - Molly Hurt, Top Ten Senior, Frank Hughes High School. by *Byrd.

***House Joint Resolution No. 523** -- Memorials, Academic Achievement - Mollie Jones, Top Ten Senior, Frank Hughes High School. by *Byrd.

***House Joint Resolution No. 524** -- Memorials, Academic Achievement - Alex Layne, Top Ten Senior, Frank Hughes High School. by *Byrd.

***House Joint Resolution No. 525** -- Memorials, Academic Achievement - Dasan Lundy, Top Ten Senior, Frank Hughes High School. by *Byrd.

***House Joint Resolution No. 526** -- Memorials, Academic Achievement - Greenlee Pitts, Top Ten Senior, Frank Hughes High School. by *Byrd.

***House Joint Resolution No. 527** -- Memorials, Academic Achievement - Brianna Stricklin, Top Ten Senior, Frank Hughes High School. by *Byrd.

MONDAY, APRIL 22, 2019 -- THIRTY-FIRST LEGISLATIVE DAY UNOFFICIAL VERSION

***House Joint Resolution No. 528** -- Memorials, Academic Achievement - Kenlyn Prater, Top Ten Senior, Frank Hughes High School. by *Byrd.

***House Joint Resolution No. 529** -- Memorials, Academic Achievement - Hannah Ray, Top Ten Senior, Frank Hughes High School. by *Byrd.

***House Joint Resolution No. 530** -- Memorials, Academic Achievement - Hannah Nance, Salutatorian, Frank Hughes High School. by *Byrd.

***House Joint Resolution No. 531** -- Memorials, Academic Achievement - Samantha McCasland, Valedictorian, Frank Hughes High School. by *Byrd.

***House Joint Resolution No. 532** -- Memorials, Academic Achievement - Brittney McLin, Top Ten Senior, Collinwood High School. by *Byrd.

***House Joint Resolution No. 533** -- Memorials, Academic Achievement - Mickylie Bratton, Top Ten Senior, Collinwood High School. by *Byrd.

***House Joint Resolution No. 534** -- Memorials, Academic Achievement - Hailey Pierce, Top Ten Senior, Collinwood High School. by *Byrd.

***House Joint Resolution No. 535** -- Memorials, Academic Achievement - Alex Moore, Top Ten Senior, Collinwood High School. by *Byrd.

***House Joint Resolution No. 536** -- Memorials, Academic Achievement - Weston Hollis, Top Ten Senior, Collinwood High School. by *Byrd.

***House Joint Resolution No. 537** -- Memorials, Academic Achievement - Gwen Skaggs, Top Ten Senior, Collinwood High School. by *Byrd.

***House Joint Resolution No. 538** -- Memorials, Academic Achievement - Haley Holt, Top Ten Senior, Collinwood High School. by *Byrd.

***House Joint Resolution No. 539** -- Memorials, Academic Achievement - Emma McWilliams, Top Ten Senior, Collinwood High School. by *Byrd.

***House Joint Resolution No. 540** -- Memorials, Academic Achievement - Felicity Simmons, Salutatorian, Collinwood High School. by *Byrd.

***House Joint Resolution No. 541** -- Memorials, Academic Achievement - Katie Kelley, Valedictorian, Collinwood High School. by *Byrd.

***House Joint Resolution No. 542** -- Memorials, Academic Achievement - Tatum Alexa Hogan, Top Ten Senior, Hardin County High School. by *Byrd.

***House Joint Resolution No. 543** -- Memorials, Academic Achievement - Haley Renee Hopkins, Top Ten Senior, Hardin County High School. by *Byrd.

***House Joint Resolution No. 544** -- Memorials, Academic Achievement - Lauryn Olivia Harrison, Top Ten Senior, Hardin County High School. by *Byrd.

MONDAY, APRIL 22, 2019 -- THIRTY-FIRST LEGISLATIVE DAY UNOFFICIAL VERSION

***House Joint Resolution No. 545** -- Memorials, Academic Achievement - Bailey Thomas Bond, Top Ten Senior, Hardin County High School. by *Byrd.

***House Joint Resolution No. 546** -- Memorials, Academic Achievement - Bailey Jean Poppy, Top Ten Senior, Hardin County High School. by *Byrd.

***House Joint Resolution No. 547** -- Memorials, Academic Achievement - Benjamin Richard Brown, Top Ten Senior, Hardin County High School. by *Byrd.

***House Joint Resolution No. 548** -- Memorials, Academic Achievement - Taia Nicole Sorrell, Top Ten Senior, Hardin County High School. by *Byrd.

***House Joint Resolution No. 549** -- Memorials, Academic Achievement - Cody Blake Wilson, Top Ten Senior, Hardin County High School. by *Byrd.

***House Joint Resolution No. 550** -- Memorials, Academic Achievement - Padyn Callie Davis, Salutatorian, Hardin County High School. by *Byrd.

***House Joint Resolution No. 551** -- Memorials, Academic Achievement - Robert Abram Adkisson, Valedictorian, Hardin County High School. by *Byrd.

***House Joint Resolution No. 552** -- Memorials, Academic Achievement - Christian Davis, Top Ten Senior, Wayne County High School. by *Byrd.

***House Joint Resolution No. 553** -- Memorials, Academic Achievement - Ashleigh Skimehorne, Top Ten Senior, Wayne County High School. by *Byrd.

***House Joint Resolution No. 554** -- Memorials, Academic Achievement - Kristah Singleton, Top Ten Senior, Wayne County High School. by *Byrd.

***House Joint Resolution No. 555** -- Memorials, Academic Achievement - Gabby Davis, Top Ten Senior, Wayne County High School. by *Byrd.

***House Joint Resolution No. 556** -- Memorials, Academic Achievement - Josie Goldsby, Top Ten Senior, Wayne County High School. by *Byrd.

***House Joint Resolution No. 557** -- Memorials, Academic Achievement - Aaron Wilson, Top Ten Senior, Wayne County High School. by *Byrd.

***House Joint Resolution No. 558** -- Memorials, Academic Achievement - Myles Prince, Top Ten Senior, Wayne County High School. by *Byrd.

***House Joint Resolution No. 559** -- Memorials, Academic Achievement - Kayleigh Beth Hurst, Top Ten Senior, Wayne County High School. by *Byrd.

***House Joint Resolution No. 560** -- Memorials, Academic Achievement - Morgan Bevis, Salutatorian, Wayne County High School. by *Byrd.

MONDAY, APRIL 22, 2019 -- THIRTY-FIRST LEGISLATIVE DAY UNOFFICIAL VERSION

***House Joint Resolution No. 561** -- Memorials, Academic Achievement - Hunter Hatchett, Valedictorian, Wayne County High School. by *Byrd.

***House Joint Resolution No. 562** -- Memorials, Academic Achievement - Madison Rose Flick, Top Ten Senior, Summertown High School. by *Byrd.

***House Joint Resolution No. 563** -- Memorials, Academic Achievement - Kaitlyn Desiree Kilburn, Top Ten Senior, Summertown High School. by *Byrd.

***House Joint Resolution No. 564** -- Memorials, Academic Achievement - Marla Elizabeth Mathews, Top Ten Senior, Summertown High School. by *Byrd.

***House Joint Resolution No. 565** -- Memorials, Academic Achievement - John Paul Kerstiens, Top Ten Senior, Summertown High School. by *Byrd.

***House Joint Resolution No. 566** -- Memorials, Academic Achievement - Gracie Elizabeth Bedford, Top Ten Senior, Summertown High School. by *Byrd.

***House Joint Resolution No. 567** -- Memorials, Academic Achievement - Katelynn Elizabeth Massey, Top Ten Senior, Summertown High School. by *Byrd.

***House Joint Resolution No. 568** -- Memorials, Academic Achievement - Naomi Cheyenne Scott, Top Ten Senior, Summertown High School. by *Byrd.

***House Joint Resolution No. 569** -- Memorials, Academic Achievement - Addisen Grace Smith, Top Ten Senior, Summertown High School. by *Byrd.

***House Joint Resolution No. 570** -- Memorials, Academic Achievement - Tea Denise Burleson, Top Ten Senior, Summertown High School. by *Byrd.

***House Joint Resolution No. 571** -- Memorials, Academic Achievement - Leah Elizabeth Flick, Top Ten Senior, Summertown High School. by *Byrd.

***House Joint Resolution No. 572** -- Memorials, Recognition - Wayne County Technology Center HOSA. by *Byrd.

***House Joint Resolution No. 573** -- Memorials, Recognition - Minister Larry Keele, Midway Church of Christ. by *Byrd.

***House Joint Resolution No. 574** -- Memorials, Sports - Hardin County High School Lady Tigers bowling team, 2019 State Champions. by *Byrd.

***House Joint Resolution No. 575** -- Memorials, Recognition - Maryville High School, 100th anniversary. by *Ramsey.

***House Joint Resolution No. 576** -- Memorials, Sports - Wooddale High School boys' basketball team, Class AA State Champions. by *Camper.

SENATE JOINT RESOLUTIONS

1565

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(Congratulatory and Memorializing)

Pursuant to **Rule No. 17**, the resolutions listed were noted as being placed on the Consent Calendar No. 2 for April 22, 2019:

***Senate Joint Resolution No. 457** -- Memorials, Academic Achievement - Elijah Dean Hale, Valedictorian, Macon County High School. by *Pody.

***Senate Joint Resolution No. 458** -- Memorials, Academic Achievement - Emily Grace Dotson, Salutatorian, Macon County High School. by *Pody.

***Senate Joint Resolution No. 459** -- Memorials, Academic Achievement - Sarah Gwynne Bryant, Valedictorian, Macon County High School. by *Pody.

***Senate Joint Resolution No. 460** -- Memorials, Interns - Tishara Ann Davis. by *Bell.

***Senate Joint Resolution No. 461** -- Memorials, Interns - Amanda Mosley. by *Gresham, *Roberts.

***Senate Joint Resolution No. 462** -- Memorials, Interns - Holdon Guy. by *Roberts, *Kyle.

***Senate Joint Resolution No. 463** -- Memorials, Professional Achievement - Alice Carson, Powell High School, Knox County High School Teacher of the Year. by *Massey, *Briggs.

***Senate Joint Resolution No. 464** -- Memorials, Professional Achievement - Crystal Dougan, Brickey McCloud Elementary, Knox County Elementary School Teacher of the Year. by *Massey, *Briggs.

***Senate Joint Resolution No. 465** -- Memorials, Professional Achievement - Janet Smith, Karns Middle School, Knox County Middle School Teacher of the Year. by *Massey.

***Senate Joint Resolution No. 467** -- Memorials, Recognition - Mary Miller Ayers. by *Southerland.

***Senate Joint Resolution No. 468** -- Memorials, Interns - Brooke Roddy. by *Southerland.

***Senate Joint Resolution No. 470** -- Memorials, Interns - Brett Janise Johnson. by *Niceley.

***Senate Joint Resolution No. 471** -- Memorials, Recognition - Caden Bayless, 2019 Boys & Girls Club of Greater Kingsport Youth of the Year. by *Lundberg.

***Senate Joint Resolution No. 472** -- Memorials, Recognition - Preston Higgins, 2019 Boys & Girls Clubs of the Ocoee Region Youth of the Year. by *Bell.

***Senate Joint Resolution No. 473** -- Memorials, Recognition - David Price, 2019 Boys & Girls Club of Dumplin Valley Youth of the Year. by *Southerland.

***Senate Joint Resolution No. 474** -- Memorials, Recognition - Tzipora Hunter-Davis, 2019 Boys & Girls Clubs of Tennessee State Youth of the Year. by *Gilmore.

***Senate Joint Resolution No. 475** -- Memorials, Recognition - LaStacia S. Cloyd, 2019 Boys & Girls Clubs of Greater Memphis Youth of the Year. by *Kyle.

***Senate Joint Resolution No. 476** -- Memorials, Recognition - LaShaysheion Thomas, 2019 Boys & Girls Club of Chattanooga Youth of the Year. by *Gardenhire.

***Senate Joint Resolution No. 477** -- Memorials, Recognition - Dr. Matthew O. Richardson. by *Gardenhire, *Watson.

***Senate Joint Resolution No. 478** -- Memorials, Recognition - Devore Soloman, 2019 Boys & Girls Clubs of the Tennessee Valley Youth of the Year. by *Briggs, *Massey.

***Senate Joint Resolution No. 479** -- Memorials, Recognition - Bre Williams, 2019 Boys & Girls Clubs of Northwest Tennessee Youth of the Year. by *Stevens.

***Senate Joint Resolution No. 480** -- Memorials, Recognition - Jhonnaya Wilcox, 2019 Boys & Girls Club of the Hatchie River Region Youth of the Year. by *Rose.

***Senate Joint Resolution No. 481** -- Memorials, Personal Occasion - Coach Dee Harris, 90th birthday. by *Bailey.

***Senate Joint Resolution No. 482** -- Memorials, Academic Achievement - Brookelyn Davis, Salutatorian, Upperman High School. by *Bailey.

***Senate Joint Resolution No. 483** -- Memorials, Academic Achievement - Adelyne Adams, Valedictorian, Upperman High School. by *Bailey.

***Senate Joint Resolution No. 484** -- Memorials, Academic Achievement - Kara Robertson, Third Honor Senior, Upperman High School. by *Bailey.

***Senate Joint Resolution No. 485** -- Memorials, Recognition - Kyela Stephens, 2019 Boys & Girls Club of Johnson City/Washington County Youth of the Year. by *Crowe.

***Senate Joint Resolution No. 486** -- Memorials, Recognition - Kylee Evans, 2019 Boys & Girls Club of Elizabethton/Carter County Youth of the Year. by *Crowe, *Lundberg.

***Senate Joint Resolution No. 487** -- Memorials, Recognition - Aiden Baker, 2019 Boys & Girls Clubs of Tennessee State Youth of the Year. by *Swann.

***Senate Joint Resolution No. 488** -- Memorials, Sports - Coach Penny Hardaway. by *Robinson, *Akbari, *Kyle, *Rose.

***Senate Joint Resolution No. 489** -- Memorials, Recognition - Macy Hendrickson, 2019 Boys & Girls Clubs of the Clinch Valley Youth of the Year. by *Yager.

MONDAY, APRIL 22, 2019 -- THIRTY-FIRST LEGISLATIVE DAY UNOFFICIAL VERSION

***Senate Joint Resolution No. 490** -- Memorials, Interns - Jeffery Dalton Slatton. by *Yarbro.

***Senate Joint Resolution No. 491** -- Memorials, Retirement - Vanderbilt Chancellor Nicholas Zeppos. by *Yarbro, *Akbari, *Gilmore.

***Senate Joint Resolution No. 492** -- Memorials, Recognition - Larry and Wanda Collins, 2019 Order of the Horse. by *Haile, *Roberts.

***Senate Joint Resolution No. 493** -- Memorials, Academic Achievement - Emily Grace Sorensen, Valedictorian, Jo Byrns High School. by *Roberts.

***Senate Joint Resolution No. 494** -- Memorials, Academic Achievement - Olivia Li McCaskill, Salutatorian, Jo Byrns High School. by *Roberts.

***Senate Joint Resolution No. 495** -- Memorials, Recognition - Dr. Gene Caldwell, Emory Valley Center Compassion Award. by *McNally, *Kurita, *Yager.

***Senate Joint Resolution No. 496** -- Memorials, Recognition - Dorothy "Dottie" Akers Thompson, Emory Valley Center Compassion Award. by *McNally, *Yager.

RESOLUTIONS LYING OVER

On motion, the resolutions listed were referred to the appropriate Committee:

***Senate Joint Resolution No. 154** -- Constitutional Amendments - Proposes an amendment to the Constitution of Tennessee to provide for the exercise of powers and duties of the governor during disability. by *Massey, *Jackson, *Kelsey, *Briggs.

House Finance, Ways and Means Committee

SENATE BILLS TRANSMITTED

On motion, the Senate Bills listed below, transmitted to the House, were held on the Clerk's desk pending third consideration of the companion House Bill as noted:

***Senate Bill No. 985** -- Criminal Procedure - As introduced, allows a court to sentence a person to an individually assessed sentence based on community rehabilitation with a focus on parent-child unity and support, if the person has been convicted of a nonviolent offense and is the primary caretaker of a dependent child. - Amends TCA Title 40 and Title 41. by *Gilmore, *Akbari. (HB1449 by *Camper, *Love, *Hardaway, *Staples, *Freeman, *Clemmons, *Powell)

HOUSE BILLS ON SECOND CONSIDERATION

On motion, bills listed below passed second consideration and were referred by the Speaker to Committee or held on the Clerk's desk as noted:

***House Bill No. 1541** -- Maury County -- House Naming, Designating, & Private Acts Committee

REPORTS FROM STANDING COMMITTEES

The committees that met on **April 22, 2019**, reported the following:

JUDICIARY COMMITTEE

Report of the Judiciary Committee to Recommend to the House of Representatives the Confirmation Or Rejection of the Honorable Carma Dennis McGee to the Position of Judge of the Court of Appeals of Tennessee, Western Section

On April 11, 2019, the Honorable Bill Lee, Governor of the state of Tennessee, submitted a notice of appointment to the Chief Clerk of the Senate and Chief Clerk of the House of Representatives of the Governor's appointment of the Honorable Carma Dennis McGee to fill a vacancy in the office of Judge of the Court of Appeals, Western Section.

Pursuant to Tennessee Code Annotated, Section 17-4-102, and the Rules of the House of Representatives, the Chief Clerk referred the notice of appointment to the Judiciary Committee to conduct a hearing on the Governor's nomination.

On April 22, 2019, at 1:00 p.m., Representative Michael G. Curcio, Chairman of the Judiciary Committee to which the notice of appointment of the Honorable Carma Dennis McGee was referred, conducted a hearing to recommend to the House of Representatives whether Ms. McGee's nomination to the office of Judge of the Court of Appeals, Western Section should be confirmed or rejected.

At the conclusion of the hearing, a vote of the Committee was taken. It was the recommendation of the Committee, by a unanimous voice vote, that, pursuant to Article VI, Section 3 of the Constitution of Tennessee, the Honorable Carma Dennis McGee be confirmed as Judge of the Tennessee Court of Appeals, Western Section.

Attached to this report is the application of the Honorable Carma Dennis McGee for the position of Judge of the Tennessee Court of Appeals, Western Section.

Respectfully Submitted,

/s/ Michael G. Curcio
Chair, Judiciary Committee

CONSENT CALENDAR NO. 1

***House Bill No. 429** -- Sunset Laws - As introduced, extends the employee suggestion award board to June 30, 2023. - Amends TCA Title 4, Chapter 27 and Title 4, Chapter 29. by *Daniel.

MONDAY, APRIL 22, 2019 -- THIRTY-FIRST LEGISLATIVE DAY UNOFFICIAL VERSION

On motion, House Bill No. 429 was made to conform with **Senate Bill No. 97**; the Senate Bill was substituted for the House Bill.

***House Bill No. 441** -- Sunset Laws - As introduced, extends the department of human resources to June 30, 2023. - Amends TCA Title 4, Chapter 29 and Title 4, Chapter 3. by *Daniel.

On motion, House Bill No. 441 was made to conform with **Senate Bill No. 109**; the Senate Bill was substituted for the House Bill.

***House Bill No. 452** -- Sunset Laws - As introduced, extends the board of boiler rules to June 30, 2023. - Amends TCA Title 4, Chapter 29 and Title 68, Chapter 122. by *Daniel.

On motion, House Bill No. 452 was made to conform with **Senate Bill No. 120**; the Senate Bill was substituted for the House Bill.

***House Bill No. 453** -- Sunset Laws - As introduced, extends the elevator and amusement device safety board to June 20, 2023. - Amends TCA Title 4, Chapter 29 and Title 68, Chapter 121. by *Daniel.

On motion, House Bill No. 453 was made to conform with **Senate Bill No. 121**; the Senate Bill was substituted for the House Bill.

***House Bill No. 454** -- Sunset Laws - As introduced, extends the state unemployment compensation advisory council to June 30, 2023. - Amends TCA Title 4, Chapter 29 and Title 50, Chapter 7. by *Daniel.

On motion, House Bill No. 454 was made to conform with **Senate Bill No. 122**; the Senate Bill was substituted for the House Bill.

***House Bill No. 455** -- Sunset Laws - As introduced, extends the prevailing wage commission to June 30, 2023. - Amends TCA Title 4, Chapter 29 and Title 12, Chapter 4. by *Daniel.

On motion, House Bill No. 455 was made to conform with **Senate Bill No. 123**; the Senate Bill was substituted for the House Bill.

***House Bill No. 469** -- Sunset Laws - As introduced, extends the department of commerce and insurance to June 30, 2023. - Amends TCA Title 4, Chapter 29 and Title 4, Chapter 3. by *Daniel.

On motion, House Bill No. 469 was made to conform with **Senate Bill No. 138**; the Senate Bill was substituted for the House Bill.

***House Bill No. 475** -- Sunset Laws - As introduced, extends the state board of education to June 30, 2024. - Amends TCA Title 4, Chapter 29 and Title 49, Chapter 1, Part 3. by *Daniel.

On motion, House Bill No. 475 was made to conform with **Senate Bill No. 143**; the Senate Bill was substituted for the House Bill.

1570

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***House Bill No. 476** -- Sunset Laws - As introduced, extends the energy efficient schools council to June 30, 2023; requires the council and the department of education to appear before sunset review committee in 2019 to discuss progress made in addressing findings in its 2018 audit. - Amends TCA Title 4, Chapter 29 and Title 49, Chapter 17. by *Daniel.

On motion, House Bill No. 476 was made to conform with **Senate Bill No. 144**; the Senate Bill was substituted for the House Bill.

***House Bill No. 479** -- Sunset Laws - As introduced, extends the Austin Peay State University, board of trustees to June 30, 2021; creates a separate sunset provision for the university. - Amends TCA Title 4, Chapter 29 and Title 49, Chapter 8. by *Daniel.

On motion, House Bill No. 479 was made to conform with **Senate Bill No. 147**; the Senate Bill was substituted for the House Bill.

***House Bill No. 480** -- Sunset Laws - As introduced, extends the East Tennessee State University, board of trustees to June 30, 2021; creates a separate sunset provision for the university. - Amends TCA Title 4, Chapter 29 and Title 49, Chapter 8. by *Daniel.

On motion, House Bill No. 480 was made to conform with **Senate Bill No. 148**; the Senate Bill was substituted for the House Bill.

***House Bill No. 481** -- Sunset Laws - As introduced, extends the Middle Tennessee State University, board of trustees to June 30, 2021; creates a separate sunset provision for the university. - Amends TCA Title 4, Chapter 29 and Title 49, Chapter 8. by *Daniel.

On motion, House Bill No. 481 was made to conform with **Senate Bill No. 149**; the Senate Bill was substituted for the House Bill.

***House Bill No. 482** -- Sunset Laws - As introduced, extends the Tennessee State University, board of trustees to June 30, 2021; creates a separate sunset provision for the university. - Amends TCA Title 4, Chapter 29 and Title 49, Chapter 8. by *Daniel.

On motion, House Bill No. 482 was made to conform with **Senate Bill No. 150**; the Senate Bill was substituted for the House Bill.

***House Bill No. 483** -- Sunset Laws - As introduced, extends the Tennessee Technological University, board of trustees to June 30, 2021; creates a separate sunset provision for the university. - Amends TCA Title 4, Chapter 29 and Title 49, Chapter 8. by *Daniel.

On motion, House Bill No. 483 was made to conform with **Senate Bill No. 151**; the Senate Bill was substituted for the House Bill.

***House Bill No. 484** -- Sunset Laws - As introduced, extends the University of Memphis, board of trustees to June 30, 2021; creates a separate sunset provision for the university. - Amends TCA Title 4, Chapter 29 and Title 49, Chapter 8. by *Daniel.

MONDAY, APRIL 22, 2019 -- THIRTY-FIRST LEGISLATIVE DAY UNOFFICIAL VERSION

On motion, House Bill No. 484 was made to conform with **Senate Bill No. 152**; the Senate Bill was substituted for the House Bill.

***House Bill No. 1288** -- Public Defenders - As introduced, changes employee title from assistant executive director to deputy executive director; allows attorneys in the office of executive director a reasonable length of time to conclude or transfer private legal matters pending at the time of employment. - Amends TCA Title 8, Chapter 14 and Title 9, Chapter 4. by *Farmer, *Lamberth.

On motion, House Bill No. 1288 was made to conform with **Senate Bill No. 294**; the Senate Bill was substituted for the House Bill.

***House Bill No. 1158** -- Local Education Agencies - As introduced, authorizes LEAs to establish a threat assessment team for the purpose of developing comprehensive, intervention-based approaches to prevent violence, manage reports of potential threats, and create a system that fosters a safe, supportive, and effective school environment. - Amends TCA Title 49. by *Ogles.

House Bill No. 616 -- TennCare - As introduced, requires the bureau to establish a program that identifies child TennCare enrollees who are likely to be eligible for federal supplemental security income due to disability upon reaching 18 years of age; requires the program to initiate counseling with and provide enrollment assistance to the child to prevent a gap in TennCare eligibility upon the child reaching 18 years of age. - Amends TCA Title 71. by *Kumar.

On motion, House Bill No. 616 was made to conform with **Senate Bill No. 1286**; the Senate Bill was substituted for the House Bill.

***House Bill No. 1520** -- Robertson County - Subject to local approval, increases from \$250 to \$500 the monthly compensation of the Robertson County highway commissioners and chairman of the commission. - Amends Chapter 380 of the Private Acts of 1947; as amended. by *Kumar.

House Bill No. 1334 -- Health, Dept. of - As introduced, requires regional medical communication centers to provide monthly data to the commissioner regarding the number of flight requests rejected by a vendor and the patient volumes transported into the covered region; requires the commissioner to monthly post the data to the department's website in a manner accessible to the public. - Amends TCA Title 4 and Title 68. by *Sparks.

House Bill No. 1519 -- McKenzie - Subject to local approval, reduces the maximum penalty levied by the municipal court from \$500 to \$50; removes the certification requirement for newly elected councilmen; removes city council authority to impeach; allows council to appoint a city administrator; removes the city clerk bond requirement; revises various other provisions. - Amends Chapter 128 of the Private Acts of 1990; as amended. by *Holt.

House Bill No. 1521 -- McMoresville - Subject to local approval, deletes antiquated provisions related to poll taxes; codifies current practice of city regarding election timing and terms; adds grounds for removal from office for board of mayor and aldermen; authorizes the hiring of a city recorder; removes cap on fines that may be imposed for a violation of

1572

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MONDAY, APRIL 22, 2019 -- THIRTY-FIRST LEGISLATIVE DAY UNOFFICIAL VERSION

ordinances, on property tax, and business tax. - Amends Chapter 507 of the Private Acts of 1949; as amended. by *Holt.

House Bill No. 1320 -- Juvenile Offenders - As introduced, clarifies that a child must have been "adjudicated delinquent" of specified offenses in order for the requirements that a child's school receive notification and that parents, guardians, and legal custodians notify a school principal, or a principal's designee, - Amends TCA Section 37-1-131(a)(2)(B) and Section 49-6-3051(b). by *Eldridge, *Littleton.

On motion, House Bill No. 1320 was made to conform with **Senate Bill No. 1326**; the Senate Bill was substituted for the House Bill.

House Bill No. 1319 -- Juvenile Offenders - As introduced, revises the provisions for judicial diversion for juvenile offenders under certain circumstances; clarifies offenses for which a juvenile offender may be committed to the department of children's services; authorizes probation for juvenile traffic offenders; clarifies various other provisions related to juvenile court proceedings. - Amends TCA Title 37, Chapter 1, Part 1. by *Eldridge, Littleton.

On motion, House Bill No. 1319 was made to conform with **Senate Bill No. 1325**; the Senate Bill was substituted for the House Bill.

***Senate Joint Resolution No. 192** -- Memorials, Congress - Expresses support for the enactment of legislation that requires all board committee meetings of the Tennessee Valley Authority Board of Directors to be open to the public. by *Yager, *Kurita.

***Senate Joint Resolution No. 213** -- General Assembly, Directed Studies - Encourages the Department of Agriculture and representatives of vineyard owners and the retail wine industry in Tennessee to discuss the formation of a statewide wine trail. by *Yager.

***Senate Joint Resolution No. 145** -- General Assembly, Statement of Intent or Position - Urges all middle and high schools to have athletic trainers on staff. by *Crowe.

House Bill No. 1528 -- Pickett County - Subject to local approval, establishes that chancery court has jurisdiction relating to the probate of wills and administration of estates, pursuant to general law, and that general sessions court has concurrent jurisdiction with the circuit and chancery courts over domestic relations cases. by *Keisling. (SB1534 by *Yager)

***House Bill No. 559** -- Education - As introduced, authorizes LEAs to offer internship programs for elective credits in the high school curriculum through cooperative agreements with local and state governments. - Amends TCA Title 49, Chapter 6. by *Camper.

On motion, House Bill No. 559 was made to conform with **Senate Bill No. 504**; the Senate Bill was substituted for the House Bill.

***House Bill No. 1525** -- School Districts, Special - Pursuant to the request of the Tenth special school district of Wilson County, permits the district to issue bonds or notes in an amount of \$28 million or less and to issue bond anticipation notes in an amount of \$28 million or less. - Amends Chapter 330 of the Acts of 1901. by *Boyd.

1573

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MONDAY, APRIL 22, 2019 -- THIRTY-FIRST LEGISLATIVE DAY UNOFFICIAL VERSION

House Bill No. 1526 -- Dickson County - Subject to local approval, changes the county highway engineer position from elected to appointed and changes the county highway engineer's duties to only be the duties as provided in Tennessee County Uniform Highway Law. - Amends amend Chapter 38 of the Private Acts of 2018. by *Curcio, *Littleton.

***Senate Joint Resolution No. 181** -- General Assembly, Statement of Intent or Position - Declares that prior authorization requirements from insurance providers should be removed when a healthcare professional provides or seeks to provide medication assisted treatment to a patient with a substance use disorder and declares substance use disorder and opioid use disorder should be insured in the same manner as other diseases such as diabetes and heart disease. by *Briggs, *Massey. (*Hill M)

***House Joint Resolution No. 396** -- General Assembly, Confirmation of Appointment - Nicholas Darnell, State Board of Education. by *Eldridge, *White.

***Senate Joint Resolution No. 96** -- Memorials, Government Officials - Urges President of United States to designate state funeral for last surviving Medal of Honor recipient from World War II. by *Watson, *Bailey.

House Bill No. 474 -- Sunset Laws - As introduced, extends the department of education to June 30, 2022; requires the department to appear before sunset review committee in 2019 to discuss progress made in addressing findings in its 2018 audit. - Amends TCA Title 4, Chapter 29 and Title 4, Chapter 3. by *Daniel.

House Bill No. 451 -- Sunset Laws - As introduced, extends the department of labor and workforce development to June 30, 2020. - Amends TCA Title 4, Chapter 29 and Title 4, Chapter 3. by *Daniel.

House Bill No. 70 -- Education - As introduced, extends the date of the repeal of the Virtual Public Schools Act from June 30, 2019, to June 30, 2023. - Amends TCA Title 49, Chapter 16. by *Powers.

***Senate Joint Resolution No. 99** -- Highway Signs - "Mike and Sara Sellers Memorial Bridge," S.R. 91 in Carter County. by *Crowe, *Lundberg. (*Holsclaw)

***House Bill No. 1500** -- Taxes, Hotel Motel - As introduced, authorizes the City of Cookeville, by ordinance adopted by a two-thirds vote, to levy an occupancy tax of not more than 3 percent on the privilege of staying in any hotel or motel in Cookeville; requires the ordinance to set forth the manner of collection and administration of the privilege tax; requires that all proceeds received by the municipality from the tax be used for tourism and economic development. - Amends TCA Section 67-4-1425. by *Williams, *Sexton C.

***House Bill No. 119** -- Naming and Designating - As introduced, names the visitor center at the Tipton-Haynes Historic Site in Johnson City in honor of Penny McLaughlin. by *Hill M, Van Huss.

On motion, House Bill No. 119 was made to conform with **Senate Bill No. 21**; the Senate Bill was substituted for the House Bill.

1574

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MONDAY, APRIL 22, 2019 -- THIRTY-FIRST LEGISLATIVE DAY UNOFFICIAL VERSION

***House Bill No. 597** -- Taxes, Hotel Motel - As introduced, extends by six years the period in which Davidson County may charge an additional \$0.50 privilege tax on the occupancy of a hotel room and in which such county may allocate the tax revenue for the purposes of direct promotion of tourism; extends by six years the terms of the committee members that oversee the fund in which the additional tax is deposited. - Amends TCA Section 7-4-202. by *Beck.

House Bill No. 1357 -- Metropolitan Government - As introduced, defines the county seat, if the county seat is an incorporated municipality, as the principal city for purposes of county and city consolidation, if the largest city by population in the county fails to adopt a consolidation resolution within 90 days of the county's adoption of a consolidation resolution. - Amends TCA Title 7. by *Calfee.

On motion, House Bill No. 1357 was made to conform with **Senate Bill No. 1363**; the Senate Bill was substituted for the House Bill.

House Resolution No. 103 -- Memorials, Academic Achievement - Sandy Chen, Valedictorian, Red Bank High School. by *Hazlewood.

House Resolution No. 104 -- Memorials, Academic Achievement - Kelly Chilcote, Salutatorian, Red Bank High School. by *Hazlewood.

House Resolution No. 105 -- Memorials, Academic Achievement - Rachel Vernetti, Valedictorian, Signal Mountain High School. by *Hazlewood.

House Resolution No. 106 -- Memorials, Death - Sergeant Major John Wayne Oliphant, Sr. by *Curcio, *Littleton.

***House Joint Resolution No. 516** -- Memorials, Interns - Jared Page. by *Coley.

***House Joint Resolution No. 517** -- Memorials, Recognition - Albert Woodard. by *Hakeem.

***House Joint Resolution No. 518** -- Memorials, Academic Achievement - Parker Allan Kent, Co-Salutatorian, Bearden High School. by *Daniel.

***House Joint Resolution No. 519** -- Memorials, Academic Achievement - Dane Morgan, Valedictorian, Bearden High School. by *Daniel.

***House Joint Resolution No. 520** -- Memorials, Academic Achievement - Patrick Hayden Harb, Co-Salutatorian, Bearden High School. by *Daniel.

OBJECTION--CONSENT CALENDAR

Objections were filed to the following on the Consent Calendar:

1575

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House Bill No. 1158: by Rep. Williams

House Bill No. 1334: by Rep. Lamberth

House Bill No. 70: by Rep. Stewart

Under the rules, House Bills Nos. 1158, 1334 and 70 were placed at the heel of the calendar for April 23, 2019.

Pursuant to **Rule No. 50**, Rep. Zachary moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, all Senate Joint Resolutions confirming appointments on the Clerk's desk be substituted for House Joint Resolutions confirming the same appointments, all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes	93
Noes.....	0
Present and not voting.....	1

Representatives voting aye were: Baum, Beck, Boyd, Bricken, Byrd, Calfee, Camper, Carr, Carter, Cepicky, Chism, Clemmons, Cochran, Coley, Cooper, Crawford, Curcio, Daniel, DeBerry, Dixie, Doggett, Dunn, Eldridge, Faison, Farmer, Freeman, Gant, Garrett, Griffey, Hakeem, Halford, Hall, Hardaway, Haston, Hawk, Hazlewood, Helton, Hicks, Hill T, Hodges, Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson C, Johnson G, Keisling, Kumar, Lamar, Lamberth, Leatherwood, Littleton, Love, Lynn, Marsh, Miller, Mitchell, Moon, Ogles, Potts, Powell, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Sanderson, Sexton C, Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Terry, Thompson, Tillis, Todd, Towns, Travis, Van Huss, Vaughan, Weaver, White, Whitson, Williams, Windle, Wright, Zachary, Mr. Speaker Casada--93

Representatives present and not voting were: Sexton J--1

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member desires to change their original stand from "aye" to "present not voting" on **Consent Calendar No. 1** and have this statement entered in the Journal: Rep. Sparks.

CONSENT CALENDAR NO. 2

MONDAY, APRIL 22, 2019 -- THIRTY-FIRST LEGISLATIVE DAY UNOFFICIAL VERSION

***Senate Joint Resolution No. 457** -- Memorials, Academic Achievement - Elijah Dean Hale, Valedictorian, Macon County High School. by *Pody.

***Senate Joint Resolution No. 458** -- Memorials, Academic Achievement - Emily Grace Dotson, Salutatorian, Macon County High School. by *Pody.

***Senate Joint Resolution No. 459** -- Memorials, Academic Achievement - Sarah Gwynne Bryant, Valedictorian, Macon County High School. by *Pody.

***Senate Joint Resolution No. 460** -- Memorials, Interns - Tishara Ann Davis. by *Bell.

***Senate Joint Resolution No. 461** -- Memorials, Interns - Amanda Mosley. by *Gresham, *Roberts.

***Senate Joint Resolution No. 462** -- Memorials, Interns - Holdon Guy. by *Roberts, *Kyle.

***Senate Joint Resolution No. 463** -- Memorials, Professional Achievement - Alice Carson, Powell High School, Knox County High School Teacher of the Year. by *Massey, *Briggs.

***Senate Joint Resolution No. 464** -- Memorials, Professional Achievement - Crystal Dougan, Brickey McCloud Elementary, Knox County Elementary School Teacher of the Year. by *Massey, *Briggs.

***Senate Joint Resolution No. 465** -- Memorials, Professional Achievement - Janet Smith, Karns Middle School, Knox County Middle School Teacher of the Year. by *Massey.

***Senate Joint Resolution No. 467** -- Memorials, Recognition - Mary Miller Ayers. by *Southerland.

***Senate Joint Resolution No. 468** -- Memorials, Interns - Brooke Roddy. by *Southerland.

***Senate Joint Resolution No. 470** -- Memorials, Interns - Brett Janise Johnson. by *Niceley.

***Senate Joint Resolution No. 471** -- Memorials, Recognition - Caden Bayless, 2019 Boys & Girls Club of Greater Kingsport Youth of the Year. by *Lundberg.

***Senate Joint Resolution No. 472** -- Memorials, Recognition - Preston Higgins, 2019 Boys & Girls Clubs of the Ocoee Region Youth of the Year. by *Bell.

***Senate Joint Resolution No. 473** -- Memorials, Recognition - David Price, 2019 Boys & Girls Club of Dumplin Valley Youth of the Year. by *Southerland.

***Senate Joint Resolution No. 474** -- Memorials, Recognition - Tzipora Hunter-Davis, 2019 Boys & Girls Clubs of Tennessee State Youth of the Year. by *Gilmore.

MONDAY, APRIL 22, 2019 -- THIRTY-FIRST LEGISLATIVE DAY UNOFFICIAL VERSION

***Senate Joint Resolution No. 475** -- Memorials, Recognition - LaStacia S. Cloyd, 2019 Boys & Girls Clubs of Greater Memphis Youth of the Year. by *Kyle.

***Senate Joint Resolution No. 476** -- Memorials, Recognition - LaShaysheion Thomas, 2019 Boys & Girls Club of Chattanooga Youth of the Year. by *Gardenhire.

***Senate Joint Resolution No. 477** -- Memorials, Recognition - Dr. Matthew O. Richardson. by *Gardenhire, *Watson.

***Senate Joint Resolution No. 478** -- Memorials, Recognition - Devore Soloman, 2019 Boys & Girls Clubs of the Tennessee Valley Youth of the Year. by *Briggs, *Massey.

***Senate Joint Resolution No. 479** -- Memorials, Recognition - Bre Williams, 2019 Boys & Girls Clubs of Northwest Tennessee Youth of the Year. by *Stevens.

***Senate Joint Resolution No. 480** -- Memorials, Recognition - Jhonnaya Wilcox, 2019 Boys & Girls Club of the Hatchie River Region Youth of the Year. by *Rose.

***Senate Joint Resolution No. 481** -- Memorials, Personal Occasion - Coach Dee Harris, 90th birthday. by *Bailey.

***Senate Joint Resolution No. 482** -- Memorials, Academic Achievement - Brookelyn Davis, Salutatorian, Upperman High School. by *Bailey.

***Senate Joint Resolution No. 483** -- Memorials, Academic Achievement - Adelyne Adams, Valedictorian, Upperman High School. by *Bailey.

***Senate Joint Resolution No. 484** -- Memorials, Academic Achievement - Kara Robertson, Third Honor Senior, Upperman High School. by *Bailey.

***Senate Joint Resolution No. 485** -- Memorials, Recognition - Kyela Stephens, 2019 Boys & Girls Club of Johnson City/Washington County Youth of the Year. by *Crowe.

***Senate Joint Resolution No. 486** -- Memorials, Recognition - Kylee Evans, 2019 Boys & Girls Club of Elizabethton/Carter County Youth of the Year. by *Crowe, *Lundberg.

***Senate Joint Resolution No. 487** -- Memorials, Recognition - Aiden Baker, 2019 Boys & Girls Clubs of Tennessee State Youth of the Year. by *Swann.

***Senate Joint Resolution No. 488** -- Memorials, Sports - Coach Penny Hardaway. by *Robinson, *Akbari, *Kyle, *Rose.

***Senate Joint Resolution No. 489** -- Memorials, Recognition - Macy Hendrickson, 2019 Boys & Girls Clubs of the Clinch Valley Youth of the Year. by *Yager.

***Senate Joint Resolution No. 490** -- Memorials, Interns - Jeffery Dalton Slatton. by *Yarbro.

***Senate Joint Resolution No. 491** -- Memorials, Retirement - Vanderbilt Chancellor Nicholas Zeppos. by *Yarbro, *Akbari, *Gilmore.

***Senate Joint Resolution No. 492** -- Memorials, Recognition - Larry and Wanda Collins, 2019 Order of the Horse. by *Haile, *Roberts.

***Senate Joint Resolution No. 493** -- Memorials, Academic Achievement - Emily Grace Sorensen, Valedictorian, Jo Byrns High School. by *Roberts.

***Senate Joint Resolution No. 494** -- Memorials, Academic Achievement - Olivia Li McCaskill, Salutatorian, Jo Byrns High School. by *Roberts.

***Senate Joint Resolution No. 495** -- Memorials, Recognition - Dr. Gene Caldwell, Emory Valley Center Compassion Award. by *McNally, *Kurita, *Yager.

***Senate Joint Resolution No. 496** -- Memorials, Recognition - Dorothy "Dottie" Akers Thompson, Emory Valley Center Compassion Award. by *McNally, *Yager.

Pursuant to **Rule No. 50**, Rep. Zachary moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, all Senate Joint Resolutions confirming appointments on the Clerk's desk be substituted for House Joint Resolutions confirming the same appointments, all Senate and House Bills on the Consent Calendar No. 2 be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar No. 2 be concurred in, which motion prevailed by the following vote:

Ayes	92
Noes.....	0
Present and not voting.....	1

Representatives voting aye were: Baum, Beck, Boyd, Bricken, Byrd, Calfee, Camper, Carr, Carter, Cepicky, Chism, Clemmons, Cochran, Coley, Cooper, Crawford, Curcio, Daniel, DeBerry, Dixie, Doggett, Dunn, Eldridge, Faison, Farmer, Freeman, Gant, Garrett, Griffey, Hakeem, Halford, Hall, Hardaway, Haston, Hawk, Hazlewood, Helton, Hicks, Hill T, Hodges, Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson C, Johnson G, Keisling, Kumar, Lamar, Lamberth, Leatherwood, Littleton, Love, Marsh, Miller, Mitchell, Moon, Ogles, Potts, Powell, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Sanderson, Sexton C, Sexton J, Shaw, Sherrell, Smith, Staples, Stewart, Terry, Thompson, Tillis, Todd, Towns, Travis, Van Huss, Vaughan, Weaver, White, Whitson, Williams, Windle, Wright, Zachary, Mr. Speaker Casada--92

Representatives present and not voting were: Sparks--1

A motion to reconsider was tabled.

REGULAR CALENDAR

House Bill No. 1163 -- Consumer Protection - As introduced, requires travel promoters to post a \$10,000 bond for each location doing business in this state. - Amends TCA Title 47 and Title 62. by *Ogles, *Whitson, *Hardaway, *White, *Helton. (*SB634 by *Johnson)

MONDAY, APRIL 22, 2019 -- THIRTY-FIRST LEGISLATIVE DAY UNOFFICIAL VERSION

Further consideration of House Bill No. 1163, previously considered on April 8, 2019 and April 15, 2019, at which time it was reset for today's Calendar.

On motion, House Bill No. 1163 was made to conform with **Senate Bill No. 634**; the Senate Bill was substituted for the House Bill.

Rep. Ogles moved that Senate Bill No. 634 be passed on third and final consideration.

Rep. Boyd requested that Consumer and Human Resources Committee Amendment No. 1 be placed at the heel of the amendments.

Rep. Whitson moved that House Amendment No. 2 be withdrawn, which motion prevailed.

Rep. Boyd moved that Consumer and Human Resources Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Lamberth requested that Senate Bill No. 634 be moved down 20 places on today's Calendar, which motion prevailed.

***Senate Bill No. 9** -- Tobacco, Tobacco Products - As introduced, authorizes Knox County and Knoxville to prohibit, by local ordinance, smoking on the grounds of any playground owned or operated by the local government. - Amends TCA Title 39, Chapter 17. by *Briggs. (HB9 by *Staples, *Helton, *Stewart, *Ogles, *Hardaway)

Further consideration of Senate Bill No. 9, previously considered on April 15, 2019 at which time the House adopted Local Committee Amendment No. 1 and it was reset for today's Calendar.

Rep. Staples moved that **Senate Bill No. 9**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	64
Noes.....	25
Present and not voting.....	5

Representatives voting aye were: Baum, Beck, Boyd, Bricken, Calfee, Camper, Carr, Chism, Clemmons, Coley, Cooper, Crawford, Curcio, Dixie, Doggett, Dunn, Farmer, Freeman, Gant, Griffey, Hakeem, Halford, Hall, Hardaway, Haston, Hawk, Hazlewood, Helton, Hicks, Hodges, Holsclaw, Howell, Hulsey, Jernigan, Johnson C, Johnson G, Kumar, Lamar, Littleton, Love, Marsh, Miller, Mitchell, Moon, Ogles, Potts, Powell, Ragan, Ramsey, Rudder, Russell, Shaw, Staples, Stewart, Thompson, Tillis, Travis, Weaver, White, Whitson, Williams, Wright, Zachary, Mr. Speaker Casada--64

Representatives voting no were: Byrd, Carter, Cepicky, Cochran, Daniel, Eldridge, Faison, Garrett, Hill T, Holt, Keisling, Lamberth, Leatherwood, Lynn, Reedy, Sanderson, Sexton C, Sexton J, Sherrell, Smith, Sparks, Terry, Towns, Van Huss, Windle--25

Representatives present and not voting were: DeBerry, Powers, Rudd, Todd, Vaughan--
5

A motion to reconsider was tabled.

House Bill No. 389 -- Employees, Employers - As introduced, prohibits a medical review officer from considering prescriptions issued more than six months prior to a positive confirmed drug result for purposes of determining a valid prescription and immunity from actions authorized for employers to take against employees and job applicants following such a result under drug-free workplace program. - Amends TCA Title 8 and Title 50. by *Helton, *Bricken, *Thompson, *Coley, *Boyd, *Sparks. (*SB312 by *Watson)

Rep. Lamberth moved that **House Bill No. 389** be reset for the next available Regular Calendar, which motion prevailed.

House Bill No. 995 -- Professions and Occupations - As introduced, defines mental health disorder; creates civil liability for an unlicensed person providing mental health psychotherapy services for treatment of a mental health disorder. - Amends TCA Title 29; Title 33; Title 63 and Title 68. by *Beck. (*SB540 by *Lundberg)

On motion, House Bill No. 995 was made to conform with **Senate Bill No. 540**; the Senate Bill was substituted for the House Bill.

Rep. Beck moved that Senate Bill No. 540 be passed on third and final consideration.

Rep. Curcio moved that Judiciary Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Beck moved adoption of House Amendment No. 2 as follows:

Amendment No. 2

AMEND Senate Bill No. 540 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 29, Chapter 34, Part 2, is amended by adding the following as a new section:

(a) For the purposes of this section:

(1) "Mental health disorder" means a serious psychological condition, including, but not limited to, major depressive disorder, anxiety disorder, psychosis, bipolar disorder, personality disorder, and post-traumatic stress disorder, or any disorder found in the most current edition of the Diagnostic and Statistical Manual of Mental Disorders; and

(2) "Psychotherapy" means an intervention for a mental health disorder by a licensed mental health professional.

(b)

(1) A consumer is entitled to care from a competently qualified person when receiving care for a mental health disorder.

(2) A license is required under title 63 for a person to competently treat a mental health disorder. An unlicensed person is not competent to provide services that fall within any scope of practice for which a license is required under title 63 for treatment of a mental health disorder, and such treatment is illegal.

(c)

(1) An unlicensed person may be civilly liable to the client if the unlicensed person knowingly offered psychotherapy services to treat a mental health disorder without being licensed as a mental health provider.

(2) The client may maintain an action to recover damages for the unlicensed psychotherapy treatment of a mental health disorder, including consideration paid to the unlicensed person, costs in recovering consideration paid, and reasonable attorney's fees as determined by the court.

(d) The following persons are exempt from this section:

(1) Clergy who are not being compensated on a fee-for-service basis;

(2) Students and practitioners in training when the student or practitioner is under the lawful supervision of a licensed healthcare professional;

(3) Persons holding a license under title 63 when acting within the lawful scope of practice;

(4) An unlicensed person operating under the supervision of a person holding a license under title 63, providing counseling or therapy services in a correctional facility;

(5) Any service provider at a homeless shelter, licensed behavioral health residential facility, hospital, or any state-operated agency or facility;

(6) State-contracted mobile crisis responders;

(7) An unlicensed person operating under the supervision of a person holding a license under title 63 providing counseling or therapy services in a community mental health center; and

(8) Any person providing peer counseling or social services not on a fee-for-service basis.

(e) This section does not expand or restrict the scope of practice for any person holding a license under title 63.

SECTION 2. This act shall take effect July 1, 2019, the public welfare requiring it.

On motion, House Amendment No. 2 was adopted.

Rep. Beck moved that **Senate Bill No. 540**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 88
Noes..... 4

Representatives voting aye were: Baum, Beck, Boyd, Bricken, Byrd, Calfee, Camper, Carr, Carter, Cepicky, Chism, Clemmons, Cochran, Coley, Cooper, Crawford, Curcio, DeBerry, Dixie, Eldridge, Faison, Farmer, Freeman, Gant, Garrett, Griffey, Hakeem, Halford, Hall, Hardaway, Haston, Hawk, Hazlewood, Helton, Hicks, Hill T, Hodges, Holsclaw, Howell, Hulsey, Jernigan, Johnson C, Johnson G, Keisling, Kumar, Lamar, Lamberth, Leatherwood, Littleton, Love, Lynn, Marsh, Miller, Mitchell, Moon, Ogles, Potts, Powell, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Sanderson, Sexton C, Sexton J, Shaw, Sherrell, Smith, Staples, Stewart, Terry, Thompson, Tillis, Todd, Travis, Van Huss, Vaughan, Weaver, White, Whitson, Williams, Windle, Wright, Zachary, Mr. Speaker Casada--88

Representatives voting no were: Daniel, Doggett, Dunn, Holt--4

A motion to reconsider was tabled.

***House Joint Resolution No. 133** -- General Assembly, Statement of Intent or Position - Urges federal government to address internet safety. by *DeBerry, *Weaver, *Sexton J, *Coley, *Holt, *Hardaway, *Hawk, *Doggett, *Hall, *Byrd, *Kumar, *Haston, *Hicks, *Littleton, *Tillis, *White, *Lynn, *Hazlewood, *Thompson, *Camper, *Helton, *Calfee, *Leatherwood, *Reedy, *Smith, *Love, *Sherrell.

Rep. DeBerry moved adoption of House Joint Resolution No. 133.

Rep. Terry requested that Health Committee Amendment No. 1 be placed at the heel of the amendments.

Rep. DeBerry moved adoption of House Amendment No. 2 as follows:

Amendment No. 2

AMEND House Joint Resolution No. 133 by deleting the final three clauses of the preamble and substituting instead the following:

1583

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WHEREAS, if a child walked into an "adult bookstore," then the child would be told to leave because it is against the law to sell pornography to children in real space. However, if that same child "clicked" to most commercial websites that distribute pornography, then the child would be able to view hardcore pornography and other offensive images without restriction; and

WHEREAS, internet service providers have been committed to providing easy-to-use parental control tools and resources for parents and adults to protect children from instant access to internet pornography, such as the ability to restrict unsuitable content for children through blocking keywords and specific websites; the ability to set time limits for when children are allowed online; and providing customer service support to assist parents in managing parental controls on fixed and mobile devices through various proprietary and cloud-based solutions and without additional hardware or software; and

WHEREAS, parents and adults can block children's exposure and access to internet pornography through available parental controls and support services provided by internet service providers; now, therefore,

AND FURTHER AMEND by deleting the second resolving clause and substituting instead the following:

BE IT FURTHER RESOLVED, that we call upon parents and adults to utilize the most effective and affordable tools and resources now available from internet service providers to block access to inappropriate content by children.

On motion, House Amendment No. 2 was adopted.

Rep. Terry moved that Health Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. DeBerry moved adoption of **House Joint Resolution No. 133**, as amended, which motion prevailed by the following vote:

Ayes	92
Noes	0

Representatives voting aye were: Baum, Beck, Boyd, Bricken, Byrd, Calfee, Camper, Carr, Cepicky, Chism, Clemmons, Cochran, Coley, Crawford, Curcio, Daniel, DeBerry, Dixie, Doggett, Dunn, Eldridge, Faison, Farmer, Freeman, Gant, Garrett, Griffey, Hakeem, Halford, Hall, Hardaway, Haston, Hawk, Hazlewood, Helton, Hicks, Hill T, Hodges, Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson C, Johnson G, Keisling, Kumar, Lamar, Lamberth, Leatherwood, Littleton, Love, Lynn, Marsh, Miller, Mitchell, Moon, Ogles, Potts, Powell, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Sanderson, Sexton C, Sexton J, Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Terry, Thompson, Tillis, Todd, Towns, Travis, Van Huss, Vaughan, Weaver, White, Whitson, Williams, Windle, Wright, Zachary, Mr. Speaker Casada--92

A motion to reconsider was tabled.

***House Bill No. 632** -- Teachers, Principals and School Personnel - As introduced, allows a teacher who demonstrates an overall performance effectiveness level of "above expectations" or "significantly above expectations" for three consecutive years to receive an overall evaluation score of "above expectations" in certain years under certain circumstances. - Amends TCA Title 49. by *Terry, *Hardaway, *Love, *Todd, *Smith. (SB565 by *Bowling)

Rep. Terry moved that House Bill No. 632 be passed on third and final consideration.

Rep. White moved adoption of Education Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 632 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 49, Chapter 5, Part 1, is amended by adding the following as a new section:

Beginning with the 2019-2020 school year, the state board of education shall award a teacher five (5) additional professional development points if the teacher's overall evaluation demonstrates an overall performance effectiveness level of "at expectations," "above expectations," or "significantly above expectations" and the evaluation is based on the teacher's performance while employed at a school that is on the priority list or the focus list pursuant to § 49-1-602.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Education Committee Amendment No. 1 was adopted.

Rep. Terry moved that **House Bill No. 632**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 91
Noes..... 0

Representatives voting aye were: Baum, Beck, Boyd, Bricken, Byrd, Calfee, Camper, Carr, Carter, Cepicky, Chism, Cochran, Coley, Cooper, Crawford, Curcio, Daniel, DeBerry, Dixie, Doggett, Dunn, Eldridge, Faison, Farmer, Freeman, Gant, Garrett, Griffey, Hakeem, Halford, Hall, Hardaway, Haston, Hawk, Hazlewood, Helton, Hicks, Hill T, Hodges, Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson C, Johnson G, Keisling, Kumar, Lamar, Lamberth, Leatherwood, Littleton, Love, Lynn, Marsh, Miller, Mitchell, Moon, Ogles, Potts, Powell, Powers,

Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Sanderson, Sexton C, Sexton J, Shaw, Sherrell, Smith, Sparks, Stewart, Terry, Thompson, Tillis, Todd, Towns, Travis, Van Huss, Vaughan, Weaver, White, Whitson, Windle, Wright, Zachary, Mr. Speaker Casada--91

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member desires to change their original stand from "not voting" to "aye" on **House Bill No. 632** and have this statement entered in the Journal: Rep. Clemmons.

REGULAR CALENDAR, CONTINUED

House Bill No. 710 -- Hospitals and Health Care Facilities - As introduced, clarifies that a written request to a hospital for a detailed statement of services received and expenses incurred by a patient may be delivered by electronic means. - Amends TCA Title 33; Title 47, Chapter 18; Title 56; Title 63; Title 68 and Title 71. by *Terry, *Smith, *Helton. (*SB613 by *Reeves)

Rep. Terry moved that House Bill No. 710 be passed on third and final consideration.

Rep. Helton moved adoption of Health Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 710 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. This act shall be known and may be cited as the "Healthcare Billing Clarity Act."

SECTION 2. Tennessee Code Annotated, Title 47, Chapter 18, Part 1, is amended by adding the following new section:

(a) As used in this section:

(1) "Healthcare facility" means a hospital licensed under title 33 or 68;

(2) "Healthcare provider" or "provider" means a physician or other healthcare practitioner licensed or certified under title 63 to perform specialty healthcare services consistent with their scope of practice under state law; and

(3) "Specialty healthcare service" means anesthesia, pathology, radiology, and emergency services.

(b) A hospital shall not include in any billing statement to a patient any language that indicates or implies that a charge is for a specialty healthcare service that was rendered by a healthcare provider unless:

(1) The charge is described in a manner that provides the patient with sufficient information to identify the healthcare provider or the specialty healthcare service rendered; and

(2)

(A) The costs of any supplies, equipment, or other services rendered to the patient by or at the hospital are excluded from the amount charged for the healthcare provider or the specialty healthcare service rendered; or

(B) The billing statement includes language or is accompanied by a notice to inform the patient that billed amounts for services do not include charges for healthcare providers who are not employed by the healthcare facility, including anesthesiologists, emergency physicians, pathologists, and radiologists.

(c) If a healthcare provider includes a charge in a billing statement to a patient for the costs of any supplies, equipment, or other services provided by a healthcare facility, then the healthcare provider shall include with the billing statement language or an accompanying notice to inform the patient that those charges are included.

(d) A violation of subsection (b) or (c) constitutes a violation of this part as an unfair or deceptive act or practice affecting the conduct of trade or commerce and is subject to the penalties and remedies as provided by this part. Each act in violation of subsection (b) or (c) constitutes a separate violation of this part.

SECTION 3. This act shall take effect January 1, 2020, the public welfare requiring it, and applies to billing for services rendered on or after that date.

On motion, Health Committee Amendment No. 1 was adopted.

Rep. Terry moved that **House Bill No. 710**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 91
Noes..... 0

Representatives voting aye were: Baum, Beck, Boyd, Bricken, Byrd, Calfee, Camper, Carr, Carter, Cepicky, Chism, Clemmons, Cochran, Coley, Crawford, Curcio, Daniel, DeBerry, Dixie, Doggett, Dunn, Eldridge, Faison, Farmer, Freeman, Gant, Garrett, Griffey, Hakeem,

Halford, Hall, Hardaway, Haston, Hawk, Hazlewood, Helton, Hicks, Hill T, Hodges, Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson C, Johnson G, Keisling, Kumar, Lamar, Lamberth, Leatherwood, Littleton, Love, Lynn, Marsh, Miller, Mitchell, Moon, Ogles, Potts, Powell, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Sanderson, Sexton C, Sexton J, Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Terry, Thompson, Tillis, Todd, Towns, Travis, Van Huss, Vaughan, Weaver, White, Whitson, Windle, Wright, Mr. Speaker Casada--91

A motion to reconsider was tabled.

***House Bill No. 350** -- Taxes, Real Property - As introduced, provides sovereign immunity to counties in suits based in contract when the county purchases property in a tax sale; removes county's liability for the payment of any fees or assessments pursuant to any contractual right held by a non-governmental entity to such fees or assessments secured by property purchased by a county at a tax sale. - Amends TCA Title 29, Chapter 20 and Title 67, Chapter 5. by *Shaw, *Carter. (SB1263 by *Gresham)

Rep. Shaw moved that House Bill No. 350 be passed on third and final consideration.

Rep. Curcio moved adoption of Judiciary Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 350 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 67, Chapter 5, Part 25, is amended by adding the following as a new section:

(a) Whenever a county with a population of not less than twenty-seven thousand two hundred (27,200) nor more than twenty-seven thousand three hundred (27,300), according to the 2010 census or any subsequent census, acquires property at a tax sale, any non-governmental entity holding a vested and duly recorded contractual right to the payment of fees or assessments secured by such property retains such right; provided, that the non-governmental entity may only enforce such contractual rights against the county through the exercise of its lien rights against the property.

(b) Notwithstanding subsection (a), a county with a population of not less than twenty-seven thousand two hundred (27,200) nor more than twenty-seven thousand three hundred (27,300), according to the 2010 census or any subsequent census, is liable for the payment of the fees and assessments described in subsection (a) if the county makes actual use of the property purchased at the tax sale.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Judiciary Committee Amendment No. 1 was adopted.

Rep. Shaw moved that **House Bill No. 350**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 91
Noes..... 0

Representatives voting aye were: Baum, Beck, Boyd, Bricken, Byrd, Calfee, Camper, Carr, Carter, Cepicky, Chism, Clemmons, Cochran, Coley, Crawford, Curcio, Daniel, DeBerry, Dixie, Doggett, Dunn, Eldridge, Faison, Farmer, Freeman, Gant, Garrett, Griffey, Hakeem, Halford, Hall, Hardaway, Haston, Hawk, Hazlewood, Helton, Hicks, Hill T, Hodges, Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson C, Johnson G, Keisling, Lamar, Lamberth, Leatherwood, Littleton, Love, Lynn, Marsh, Miller, Mitchell, Moon, Ogles, Potts, Powell, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Sanderson, Sexton C, Sexton J, Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Terry, Thompson, Tillis, Todd, Towns, Travis, Van Huss, Vaughan, Weaver, White, Whitson, Windle, Wright, Zachary, Mr. Speaker Casada--91

A motion to reconsider was tabled.

***House Joint Resolution No. 140** -- General Assembly, Statement of Intent or Position
- Urges state and federal courts to refrain from giving judicial deference to state agencies in their interpretation of statutes and administrative rules. by *Daniel.

Rep. Daniel moved adoption of House Joint Resolution No. 140.

Rep. Curcio requested that Judiciary Committee Amendment No. 1 be placed at the heel of the amendments.

Rep. Daniel moved adoption of House Amendment No. 2 as follows:

Amendment No. 2

AMEND House Joint Resolution No. 140 by deleting all language after the caption and substituting instead the following:

WHEREAS, the United States Supreme Court's 1984 ruling in *Chevron v. Natural Resources Defense Council* established the principle of *Chevron* deference, which requires a federal court to yield to an agency's interpretation of a statute; and

WHEREAS, since the development of *Chevron*, the Court has adopted additional forms of deference to an agency's interpretation of a regulation promulgated by the agency, including the principle of *Auer* deference, which requires a federal court to defer to an agency's interpretation of an ambiguous regulation promulgated by the agency; and

WHEREAS, in recent years, an increasing number of judges, policymakers, and scholars have advocated eliminating or narrowing *Chevron* deference; and

WHEREAS, the United States Congress has recently introduced legislation to abolish *Chevron* deference and require courts to review agency interpretations de novo; and

WHEREAS, prominent judges, including U.S. Supreme Court Justices Clarence Thomas and Brett Kavanaugh, have questioned *Chevron's* intersection with the separation of powers doctrine; and

WHEREAS, legal scholars, litigants, and judges have also contested *Chevron's* theoretical grounding, its provenance, and its impact on case outcomes, specifically its growing reach in the modern administrative state; and

WHEREAS, the case against *Auer* deference has focused on separation of powers and the dangerous consolidation of lawmaking and law-executing powers in the same government actor; and

WHEREAS, while on the 10th U.S. Circuit Court of Appeals, United States Supreme Court Justice Neil Gorsuch also addressed concerns with the *Chevron* decision and the constitutional separation of powers doctrine in that the decision may well violate that doctrine, because it requires judges to defer to federal agencies' interpretations of ambiguous statutes; and

WHEREAS, before his passing, Justice Scalia, *Auer's* author, joined the call to revisit *Auer* deference, observing that "for decades, and for no good reason, we have been giving agencies the authority to say what their rules mean" and "to both make and execute the same law"; and

WHEREAS, the U.S. Supreme Court has significantly narrowed *Auer's* domain to refuse deference when the interpretation of ambiguous regulations that would impose potentially massive liability on the regulated community; and

WHEREAS, the judicial power, as originally understood, requires a court to exercise its independent judgment in interpreting and expounding upon laws and regulations, while deference precludes judges from exercising that judgment, forcing them to abandon what they believe is the best reading of an ambiguous statute in favor of an agency's construction, thus wresting from courts the ultimate interpretative authority to say what the law is; and

WHEREAS, the State of Tennessee is more unique than other states in that its General Assembly legislates with the philosophy that limited regulation by state government entities is better for businesses and Tennesseans as a whole; and

WHEREAS, this legislative body strongly supports the premise that state statutes and administrative rules must be narrowly construed by state entities in the exercise of their delegated authority; now, therefore,

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE ONE HUNDRED ELEVENTH GENERAL ASSEMBLY OF THE STATE OF TENNESSEE, THE SENATE CONCURRING, that this body staunchly opposes the current principles of

judicial deference as it relates to both the *Chevron* and *Auer* decisions and urges all state and federal courts to refrain from applying such principles.

BE IT FURTHER RESOLVED, that a certified copy of this resolution be transmitted to the director of the administrative office of the courts for distribution to each member of the Supreme Court of Tennessee, each member of the Court of Appeals of Tennessee, and every chancery and circuit court judge within the State of Tennessee.

On motion, House Amendment No. 2 was adopted.

Rep. Curcio moved that Judiciary Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Daniel moved adoption of **House Joint Resolution No. 140**, as amended, which motion prevailed by the following vote:

Ayes	78
Noes.....	8
Present and not voting.....	2

Representatives voting aye were: Baum, Boyd, Bricken, Byrd, Calfee, Carr, Carter, Cepicky, Cochran, Coley, Crawford, Curcio, Daniel, DeBerry, Dixie, Doggett, Dunn, Eldridge, Faison, Farmer, Gant, Garrett, Hakeem, Halford, Hall, Haston, Hawk, Hazlewood, Helton, Hicks, Hill T, Hodges, Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson C, Keisling, Kumar, Lamar, Lamberth, Leatherwood, Littleton, Lynn, Marsh, Miller, Moon, Ogles, Potts, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Sanderson, Sexton C, Sexton J, Shaw, Sherrell, Smith, Sparks, Staples, Thompson, Tillis, Todd, Travis, Van Huss, Vaughan, Weaver, White, Whitson, Windle, Wright, Zachary, Mr. Speaker Casada--78

Representatives voting no were: Clemmons, Cooper, Hardaway, Johnson G, Mitchell, Powell, Stewart, Towns--8

Representatives present and not voting were: Beck, Chism--2

A motion to reconsider was tabled.

House Bill No. 448 -- Sunset Laws - As introduced, extends the underground utility damage enforcement board to June 30, 2021; directs the division of state audit within the office of the comptroller of the treasury to conduct a timely study on the allocation of employees from the Tennessee public utilities commission to the underground utility damage enforcement board. - Amends TCA Title 4, Chapter 29 and Title 65, Chapter 31. by *Daniel. (*SB116 by *Roberts)

Rep. Daniel moved that House Bill No. 448 be passed on third and final consideration.

Rep. Rudder moved adoption of Government Operations Committee Amendment No. 1 as follows:

Amendment No. 1

1591

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AMEND House Bill No. 448 by deleting SECTION 2 and substituting instead the following:

SECTION 2. Tennessee Code Annotated, Section 4-29-244(a), is amended by inserting the following language as a new, appropriately designated subdivision:

() Underground utility damage enforcement board, created by § 65-31-114;

On motion, Government Operations Committee Amendment No. 1 was adopted.

Rep. Rudder moved that Government Operations Committee Amendment No. 2 be withdrawn, which motion prevailed.

Rep. Daniel moved that **House Bill No. 448**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 89
Noes 0

Representatives voting aye were: Baum, Beck, Boyd, Bricken, Byrd, Calfee, Camper, Carr, Carter, Cepicky, Chism, Clemmons, Cochran, Coley, Cooper, Crawford, Curcio, Daniel, DeBerry, Doggett, Dunn, Eldridge, Faison, Farmer, Gant, Garrett, Griffey, Hakeem, Halford, Hall, Hardaway, Haston, Hawk, Hazlewood, Helton, Hicks, Hill T, Hodges, Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson G, Keisling, Kumar, Lamar, Lamberth, Leatherwood, Littleton, Love, Lynn, Marsh, Miller, Mitchell, Moon, Ogles, Potts, Powell, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Sanderson, Sexton C, Sexton J, Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Thompson, Tillis, Todd, Towns, Travis, Van Huss, Vaughan, Weaver, White, Whitson, Windle, Wright, Zachary, Mr. Speaker Casada--89

A motion to reconsider was tabled.

House Bill No. 1165 -- Orders of Protection - As introduced, decreases from 15 to 10 the number of days in which a hearing must be held to either extend or dissolve an ex parte order of protection after the issuance of such order of protection by the court. - Amends TCA Title 16; Title 36 and Title 37. by *White. (*SB641 by *Kelsey)

Rep. White moved that House Bill No. 1165 be passed on third and final consideration.

Rep. Curcio moved adoption of Judiciary Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 1165 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 16, Chapter 1, Part 1, is amended by adding the following as a new section:

1592

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If a court clerk chooses to process passport applications, the court clerk may take photographs for the passports and charge a reasonable fee for such service.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Judiciary Committee Amendment No. 1 was adopted.

Rep. White moved that **House Bill No. 1165**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 91
Noes..... 0

Representatives voting aye were: Baum, Beck, Boyd, Bricken, Byrd, Calfee, Camper, Carr, Carter, Cepicky, Chism, Clemmons, Cochran, Coley, Cooper, Crawford, Curcio, Daniel, DeBerry, Doggett, Dunn, Eldridge, Faison, Farmer, Freeman, Gant, Garrett, Griffey, Hakeem, Halford, Hall, Hardaway, Haston, Hawk, Hazlewood, Helton, Hicks, Hill T, Hodges, Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson C, Johnson G, Keisling, Kumar, Lamar, Lamberth, Leatherwood, Littleton, Love, Marsh, Miller, Mitchell, Moon, Ogles, Potts, Powell, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Sanderson, Sexton C, Sexton J, Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Terry, Thompson, Tillis, Todd, Towns, Travis, Van Huss, Weaver, White, Whitson, Williams, Windle, Wright, Zachary, Mr. Speaker Casada--91

A motion to reconsider was tabled.

***House Bill No. 1339** -- Education, Curriculum - As introduced, requires that a computer science course be offered at each public high school and public charter high school beginning with the 2019-2020 school year; creates the computer science and technology in public schools task force to review, research, and recommend computer science and technology curriculum standards and frameworks and to recommend strategies to meet the state's anticipated computer science and technology workforce needs. - Amends TCA Title 49, Chapter 6. by *White, *Cooper, *Hardaway, *Powell, *Thompson, *Clemmons, *Freeman, *Lamar, *Smith, *Camper, *Helton. (SB1151 by *Akbari)

Rep. White moved that House Bill No. 1339 be passed on third and final consideration.

Rep. Haston moved adoption of Education Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 1339 by deleting all language after the enacting clause and substituting instead the following:

1593

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SECTION 1.

(a) To ensure all students are fully prepared for the technology jobs of today and the future, the department of education shall develop a state plan for computer science in grades kindergarten through twelve (K-12). In developing the state plan for computer science, the department shall solicit feedback from local education agency leaders, computer science educators, state institution of higher education representatives in the computer science field, the Tennessee STEM Innovation Network, computer science industry representatives, individuals with experience in computer programming, and other appropriate stakeholders, as determined by the department.

(b) The state plan for computer science must set strategic goals and make recommendations to:

(1) Ensure public high school students have access to at least one (1) computer science course;

(2) Integrate computer science into elementary education;

(3) Allow computer science course completion to count as a core admission requirement at state institutions of higher education;

(4) Develop educator preparation program standards and requirements for computer science;

(5) Increase the number of underrepresented student groups earning college credit in computer science while still in high school; and

(6) Ensure opportunities for educators who teach computer science to earn the computer science endorsement approved by the state board of education.

(c) The department shall submit a copy of the state plan for computer science to the speaker of the senate and the speaker of the house of representatives by May 1, 2020.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Education Committee Amendment No. 1 was adopted.

Rep. White moved that **House Bill No. 1339**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 92
Noes 0

Representatives voting aye were: Baum, Beck, Boyd, Bricken, Byrd, Calfee, Camper, Carr, Carter, Cepicky, Chism, Clemmons, Cochran, Coley, Cooper, Crawford, Curcio, Daniel, DeBerry, Dixie, Doggett, Dunn, Eldridge, Faison, Farmer, Freeman, Gant, Garrett, Griffey, Hakeem, Halford, Hall, Hardaway, Haston, Hawk, Hazlewood, Helton, Hicks, Hill T, Hodges, Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson C, Johnson G, Keisling, Kumar, Lamar, Lamberth, Leatherwood, Littleton, Love, Lynn, Marsh, Miller, Mitchell, Moon, Ogles, Potts, Powell, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Sanderson, Sexton J, Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Terry, Thompson, Tillis, Todd, Towns, Travis, Van Huss, Weaver, White, Whitson, Williams, Windle, Wright, Zachary, Mr. Speaker Casada--92

A motion to reconsider was tabled.

House Bill No. 1022 -- Pensions and Retirement Benefits - As introduced, prohibits a current early service retiree from changing to disability retirement; makes other revisions to provisions governing the Tennessee consolidated retirement system. - Amends TCA Section 8-25-204; Section 8-25-205; Title 8, Chapter 34; Title 8, Chapter 35; Title 8, Chapter 36 and Title 8, Chapter 37. by *Lynn. (*SB633 by *Watson)

Rep. Lynn moved that **House Bill No. 1022** be reset for the next available Regular Calendar, which motion prevailed.

House Bill No. 1328 -- Boats, Boating - As introduced, limits operating permit fee for commercial non-motorized vessel outfitters to the amount of the fee imposed on commercial fishermen; authorizes implementation of parking pass system for outfitters; imposes limitation on fees assessed such outfitters. - Amends TCA Title 69, Chapter 9 and Title 70. by *Keisling, *Byrd, *Tillis, *Weaver, *Smith, *Kumar. (*SB665 by *Haile)

Rep. Keisling moved that House Bill No. 1328 be passed on third and final consideration.

Rep. Halford moved adoption of Agriculture and Natural Resources Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 1328 by deleting all the language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 69-9-227, is amended by adding the following new subsections:

(c)

(1) In maintaining information on the number and type of non-motorized vessels leased each day, the information shall be submitted under seal only for the use of the commission and the agency, and may only be used in the aggregate in agency reports and records.

(2) Each outfitter shall submit a regular report from the agency required records on May 1, October 1, and December 1, each year, and the report shall cover activity since the previous report.

(d) The commission may only assess a fee on a commercial outfitter by rule, and no such rule may take effect before July 1, 2021.

(e) The commission may consider the implementation of a multiple year permit system in consideration of the business history of long-term commercial outfitters.

(f) To insure that the views of the commercial paddle craft outfitter community are appropriately communicated as well as to assist the fish and wildlife commission in developing rules and regulations on commercial outfitting, there is created a commercial paddle craft advisory committee. The committee members shall be named by the wildlife resources executive director and shall include, but not be limited to, a majority of commercial paddle craft outfitters and other interested stakeholders. The committee shall also strive to develop non-regulatory strategies to address issues and to facilitate access for all users. The members of the committee shall serve as volunteers and shall not be paid or reimbursed for time served as committee members.

SECTION 2. Tennessee Code Annotated, Section 69-9-227, is amended by deleting subdivision (b)(2) and substituting the following language:

(2) The regulatory authority granted under subdivision (b)(1) does not:

(A) Apply to commercial operations permitted by either the department of environment and conservation pursuant to title 11, chapter 8, or the United States forest service; or

(B) Preclude the department of environment and conservation from issuing permits, licenses, or leases for commercial activities occurring within its jurisdiction.

SECTION 3. This act shall take effect on July 1, 2019, the public welfare requiring it.

On motion, Agriculture and Natural Resources Committee Amendment No. 1 was adopted.

Rep. Keisling requested that House Bill No. 1328 be moved down three places on today's Calendar, which motion prevailed.

House Bill No. 513 -- Judges and Chancellors - As introduced, increases, from once a year to every six months, the frequency with which the Tennessee board of judicial conduct must review its records retention policy to determine if changes should be made to such policy. - Amends TCA Title 17, Chapter 5. by *Curcio. (*SB452 by *Bell)

1596

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Rep. Curcio moved that House Bill No. 513 be passed on third and final consideration.

Rep. Garrett moved adoption of Judiciary Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 513 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 4-29-239(a), is amended by deleting subdivision (43).

SECTION 2. Tennessee Code Annotated, Section 4-29-242(a), is amended by inserting the following language as a new, appropriately designated subdivision:

() Tennessee board of judicial conduct, created by § 17-5-201;

SECTION 3. Tennessee Code Annotated, Section 17-5-201, is amended by deleting the section and substituting instead the following:

(a) There is created the board of judicial conduct to consist of sixteen (16) members to be selected in the following manner:

(1) One (1) current or former trial judge, to be appointed by the Tennessee judicial conference;

(2) Two (2) current or former general sessions court judges, to be appointed by the Tennessee general sessions judges conference;

(3) One (1) current or former municipal court judge, to be appointed by the Tennessee municipal judges conference;

(4) One (1) current or former juvenile court judge, to be appointed by the Tennessee council of juvenile and family court judges;

(5) One (1) current or former court of appeals or court of criminal appeals judge, to be appointed by the Tennessee judicial conference;

(6) Five (5) members of the public who are not salaried judges, one (1) of whom shall be an attorney who regularly practices in the courts of this state and four (4) of whom shall be neither a judge nor an attorney, to be appointed by the speaker of the senate; and

(7) Five (5) members of the public who are not salaried judges, one (1) of whom shall be an attorney who regularly practices in the courts of this state and four (4) of whom shall be neither a judge nor an attorney, to be appointed by the speaker of the house of representatives.

(b) The board shall select its own chair from among the current or former judges serving on the board. The board also shall select a vice chair and shall select one (1) member to serve as a direct liaison to the members of the general assembly.

(c)

(1) All appointments to the board must be made by July 1, 2019.

(2) In order to stagger the terms of the newly appointed board members, initial appointments must be made as follows:

(A) The members appointed under subdivisions (a)(1)-(3) serve initial terms of one (1) year, which expire on June 30, 2020;

(B) The member appointed under subdivision (a)(4) and the members appointed under subdivision (a)(6) serve initial terms of two (2) years, which expire on June 30, 2021; and

(C) The member appointed under subdivision (a)(5) and the members appointed under subdivision (a)(7) serve initial terms of three (3) years, which expire on June 30, 2022.

(3) Following the expiration of members' initial terms as prescribed in subdivision (c)(2), all three-year terms begin on July 1 and terminate on June 30, three (3) years thereafter.

(d) Each member of the board is eligible for reappointment to one (1) additional term. Vacancies on the court for an unexpired term are to be filled for the remainder of the term in the same manner that original appointments are made but are for the duration of the unexpired term only.

(e)

(1) The chair shall divide the board into investigative panels of three (3) members and hearing panels of five (5) members. Each investigative panel is composed of two (2) public members and one (1) member who is a current or former judge. The chair shall not serve as a permanent member of an investigative panel or a hearing panel but may serve as a member of a panel on a temporary basis to fill a vacancy. Membership on the panels may rotate in a manner determined by the chair; however, a member shall not sit on both the hearing and investigative panels for the same proceeding.

(2) A hearing panel has the duty and authority to rule on prehearing motions, conduct hearings on formal charges and make findings, conclusions, and impose sanctions or dismiss the case.

(3)

(A) An investigative panel has the duty and authority to:

(i) Review the recommendations of disciplinary counsel after preliminary investigation and either authorize a full investigation or dismiss the complaint; and

(ii) Review the recommendations of disciplinary counsel after a full investigation and approve, disapprove, or modify the recommendations as provided in § 17-5-304.

(B) The investigative panel shall require a full investigation where the motion to dismiss the complaint fails to receive a unanimous vote from the panel and where the motion to authorize the full investigation passes by a majority vote of the panel.

(4) An attorney member of the board shall not sit on an investigative or hearing panel if the attorney has ever appeared before the judge against whom the complaint is filed.

(5)

(A)

(i) A current or former judge who serves on the board and is the subject of a full investigation by the board or is a party to a hearing before the board must take a temporary leave of absence from the board pending the completion of such action.

(ii) A citizen member of the board must recuse himself or herself to avoid any impropriety, appearance of impropriety, or conflict of interest relating to the person's duties as a board member and matters that may come before the board.

(B) A current or former judge whose conduct results in the board taking disciplinary action against the judge will result in the judge's automatic dismissal from the board, creating a vacancy to be filled by the appropriate appointing authority.

(C) If a member recuses himself or herself or is dismissed pursuant to this subdivision (e)(5) all board matters may be heard by the remaining members of the board or, at the option of the members, a temporary replacement may be designated from the board by a majority vote of such members to sit on any

investigative or hearing panel the recused or dismissed member was on.

(f) The appointing authorities, in making their appointments, shall strive to ensure the makeup of the board reflects the diversity of persons in Tennessee.

SECTION 4. Tennessee Code Annotated, Section 17-5-207(e), is amended by deleting the subsection and substituting instead the following:

(e)

(1) The board shall adopt by rule a formal records retention policy and shall review such policy on an annual basis to determine if changes should be made.

(2)

(A) Notwithstanding any law or administrative rule to the contrary, the general assembly shall have limited access to board records as authorized under this subdivision (e)(2).

(B) The speaker of the senate and the speaker of the house of representatives shall each appoint two (2) members of the majority party and one (1) member of the minority party from each house who may request access to investigative reports and any other record compiled by the board pursuant to this chapter.

(C) The members appointed under subdivision (e)(2)(B) shall meet annually with the chair of the board and the investigative counsel to review all decisions relating to complaints for which formal charges have been filed based on the recommendation of an investigative panel.

(D) Any information obtained by or disclosed to a member of the general assembly pursuant to a request for records under this subsection (e) is confidential and is not deemed to be a public record.

SECTION 5. Tennessee Code Annotated, Section 17-5-304(a), is amended by adding the following language at the end of the subsection:

The disciplinary counsel shall commence the evaluation within thirty (30) days of the date the complaint was filed.

SECTION 6. Tennessee Code Annotated, Section 17-5-304(c)(3), is amended by deleting the subdivision and substituting instead the following:

(3) The investigative panel shall review the disciplinary counsel's recommendations and either dismiss the complaint or authorize a full investigation, subject to the requirements of § 17-5-201(e)(3)(A)(ii). Disciplinary counsel must not have the authority to dismiss a complaint without the review of and approval by the investigative panel.

SECTION 7. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Judiciary Committee Amendment No. 1 was adopted.

Rep. Curcio moved that **House Bill No. 513**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	91
Noes.....	1

Representatives voting aye were: Baum, Beck, Boyd, Bricken, Byrd, Calfee, Camper, Carr, Carter, Cepicky, Chism, Clemmons, Cochran, Coley, Cooper, Crawford, Curcio, Daniel, DeBerry, Dixie, Doggett, Dunn, Eldridge, Faison, Farmer, Freeman, Gant, Garrett, Griffey, Hakeem, Halford, Hall, Hardaway, Haston, Hawk, Hazlewood, Helton, Hicks, Hill T, Hodges, Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson C, Johnson G, Keisling, Kumar, Lamar, Lamberth, Leatherwood, Littleton, Love, Lynn, Marsh, Miller, Mitchell, Moon, Ogles, Potts, Powell, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Sanderson, Sexton C, Sexton J, Shaw, Sherrell, Smith, Sparks, Staples, Terry, Thompson, Tillis, Todd, Towns, Travis, Van Huss, Weaver, White, Whitson, Windle, Wright, Zachary, Mr. Speaker Casada--91

Representatives voting no were: Stewart--1

A motion to reconsider was tabled.

House Bill No. 257 -- Criminal Offenses - As introduced, creates a Class D felony offense for any person who knowingly uses a communication or electronic device to obtain information from an elderly adult concerning the elderly adult's medical condition or health, sends unsolicited or specifically refused medical supplies to the elderly adult, and files a claim or submits a bill with the state Medicare plan for reimbursement. - Amends TCA Title 39, Chapter 15, Part 5 and Title 71. by *Littleton, *Todd, *Hazlewood, *Moon, *Ragan, *Smith, *Tillis, *Helton, *Staples, *Hardaway, *White, *Doggett, *Byrd. (*SB265 by *Roberts)

Rep. Littleton moved that **House Bill No. 257** be passed on third and final consideration, which motion prevailed by the following vote:

MONDAY, APRIL 22, 2019 -- THIRTY-FIRST LEGISLATIVE DAY UNOFFICIAL VERSION

Ayes 90
Noes..... 0
Present and not voting..... 1

Representatives voting aye were: Baum, Beck, Boyd, Bricken, Byrd, Calfee, Camper, Carr, Carter, Cepicky, Clemmons, Cochran, Coley, Cooper, Crawford, Curcio, Daniel, DeBerry, Dixie, Doggett, Dunn, Eldridge, Faison, Farmer, Freeman, Gant, Garrett, Griffey, Hakeem, Halford, Hall, Hardaway, Haston, Hawk, Hazlewood, Helton, Hicks, Hill T, Hodges, Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson C, Johnson G, Keisling, Kumar, Lamberth, Leatherwood, Littleton, Love, Lynn, Marsh, Miller, Mitchell, Moon, Ogles, Potts, Powell, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Sanderson, Sexton C, Sexton J, Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Terry, Thompson, Tillis, Todd, Towns, Travis, Van Huss, Weaver, White, Whitson, Windle, Wright, Zachary, Mr. Speaker Casada--90

Representatives present and not voting were: Lamar--1

A motion to reconsider was tabled.

House Bill No. 464 -- Sunset Laws - As introduced, extends the state TennCare pharmacy advisory committee from June 30, 2020 to June 30, 2022. - Amends TCA Title 4, Chapter 29 and Title 71, Chapter 5, Part 24. by *Daniel. (*SB133 by *Roberts)

Rep. Daniel moved that House Bill No. 464 be passed on third and final consideration.

Rep. Rudder moved adoption of Government Operations Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 464 by deleting SECTION 2 and substituting instead the following:

SECTION 2. Tennessee Code Annotated, Section 4-29-242(a), is amended by inserting the following language as a new, appropriately designated subdivision:

() State TennCare pharmacy advisory committee, created by § 71-5-2401;

On motion, Government Operations Committee Amendment No. 1 was adopted.

Rep. Daniel moved that **House Bill No. 464**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 93
Noes..... 0

Representatives voting aye were: Baum, Beck, Boyd, Bricken, Byrd, Calfee, Camper, Carr, Carter, Cepicky, Chism, Clemmons, Cochran, Coley, Cooper, Crawford, Curcio, Daniel, DeBerry, Dixie, Doggett, Dunn, Eldridge, Faison, Farmer, Freeman, Gant, Garrett, Griffey, Hakeem, Halford, Hall, Hardaway, Haston, Hawk, Hazlewood, Helton, Hicks, Hill T, Hodges,

MONDAY, APRIL 22, 2019 -- THIRTY-FIRST LEGISLATIVE DAY UNOFFICIAL VERSION

Holsclaw, Holt, Howell, Hulse, Jernigan, Johnson C, Johnson G, Keisling, Kumar, Lamar, Lamberth, Leatherwood, Littleton, Love, Lynn, Marsh, Miller, Mitchell, Moon, Ogles, Potts, Powell, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Sanderson, Sexton C, Sexton J, Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Terry, Thompson, Tillis, Todd, Towns, Travis, Van Huss, Weaver, White, Whitson, Williams, Windle, Wright, Zachary, Mr. Speaker Casada--93

A motion to reconsider was tabled.

House Bill No. 1328 -- Boats, Boating - As introduced, limits operating permit fee for commercial non-motorized vessel outfitters to the amount of the fee imposed on commercial fishermen; authorizes implementation of parking pass system for outfitters; imposes limitation on fees assessed such outfitters. - Amends TCA Title 69, Chapter 9 and Title 70. by *Keisling, *Byrd, *Tillis, *Weaver, *Smith, *Kumar. (*SB665 by *Haile)

Further consideration of House Bill No. 1328, previously considered on today's Regular Calendar, at which time the House adopted Amendment No. 1.

Rep. Keisling moved that **House Bill No. 1328**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 89
Noes..... 0

Representatives voting aye were: Baum, Beck, Boyd, Bricken, Byrd, Calfee, Camper, Carr, Carter, Cepicky, Chism, Clemmons, Cochran, Coley, Cooper, Crawford, Curcio, Daniel, DeBerry, Dixie, Doggett, Dunn, Eldridge, Faison, Farmer, Freeman, Gant, Garrett, Griffey, Hakeem, Halford, Hall, Hardaway, Haston, Hazlewood, Helton, Hicks, Hill T, Hodges, Holsclaw, Holt, Howell, Hulse, Jernigan, Johnson C, Johnson G, Keisling, Kumar, Lamar, Lamberth, Leatherwood, Littleton, Lynn, Marsh, Miller, Mitchell, Moon, Ogles, Potts, Powell, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Sanderson, Sexton C, Sexton J, Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Thompson, Todd, Towns, Travis, Van Huss, Weaver, White, Whitson, Williams, Windle, Wright, Zachary, Mr. Speaker Casada--89

A motion to reconsider was tabled.

House Bill No. 471 -- Sunset Laws - As introduced, extends the bureau of TennCare within the department of finance and administration to June 30, 2022. - Amends TCA Title 4, Chapter 29; Title 4, Chapter 3, Part 10 and Title 71. by *Daniel, *Hill M, *Hardaway. (*SB132 by *Roberts, *Crowe)

Rep. Daniel moved that House Bill No. 471 be passed on third and final consideration.

Rep. Rudder moved adoption of Government Operations Committee Amendment No. 1 as follows:

Amendment No. 1

1603

This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

AMEND House Bill No. 471 by deleting SECTION 2 and substituting instead the following:

SECTION 2. Tennessee Code Annotated, Section 4-29-242(a), is amended by inserting the following language as a new, appropriately designated subdivision:

() Bureau of TennCare within the department of finance and administration, pursuant to Executive Order No. 23 on October 19, 1999;

On motion, Government Operations Committee Amendment No. 1 was adopted.

Rep. Rudder moved adoption of Government Operations Committee Amendment No. 2 as follows:

Amendment No. 2

AMEND House Bill No. 471 by inserting the following new section immediately preceding the last section and renumbering the subsequent section accordingly:

SECTION __. The bureau of TennCare within the department of finance and administration shall appear before the government operations joint evaluation committee on judiciary and government and the TennCare subcommittee of the house of representatives no later than December 31, 2019, to update the committees on the bureau's progress in addressing the findings set forth in the December 2018 performance audit report and on the six month follow-up report issued by the division of state audit. The bureau of TennCare shall also respond to questions by the committees about the bureau, including, but not limited to, its authority, duties, operation, programs, and services.

On motion, Government Operations Committee Amendment No. 2 was adopted.

Rep. Ragan moved the previous question, which motion prevailed.

Rep. Daniel moved that **House Bill No. 471**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	76
Noes.....	15
Present and not voting.....	1

Representatives voting aye were: Baum, Boyd, Bricken, Byrd, Calfee, Camper, Carr, Carter, Cepicky, Clemmons, Cochran, Coley, Crawford, Curcio, Daniel, DeBerry, Doggett, Dunn, Eldridge, Faison, Farmer, Gant, Garrett, Griffey, Hakeem, Halford, Hall, Haston, Hawk, Hazlewood, Helton, Hicks, Hill T, Hodges, Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson C, Keisling, Kumar, Lamberth, Leatherwood, Littleton, Marsh, Miller, Moon, Ogles, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Sanderson, Sexton C, Sexton J, Shaw, Sherrell, Smith, Sparks, Terry, Tillis, Todd, Travis, Van Huss, Vaughan, Weaver, White, Whitson, Williams, Wright, Zachary, Mr. Speaker Casada--76

MONDAY, APRIL 22, 2019 -- THIRTY-FIRST LEGISLATIVE DAY UNOFFICIAL VERSION

Representatives voting no were: Chism, Cooper, Dixie, Freeman, Hardaway, Johnson G, Lamar, Mitchell, Potts, Powell, Staples, Stewart, Thompson, Towns, Windle--15

Representatives present and not voting were: Beck--1

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member desires to change their original stand from "no" to "aye" on **House Bill No. 471** and have this statement entered in the Journal: Rep. Hardaway.

REGULAR CALENDAR, CONTINUED

***House Joint Resolution No. 132** -- General Assembly, Statement of Intent or Position - Expresses support for a teacher's bill of rights. by *DeBerry, *Dixie, *Windle, *Smith, *Love, *Kumar, *Hardaway, *Sparks, *Hawk, *Faison.

Rep. DeBerry moved that **House Joint Resolution No. 132** be reset for the last available space on the last available Regular Calendar, which motion prevailed.

House Bill No. 724 -- Boards and Commissions - As introduced, requires the board of chiropractic examiners to post the names of X-ray operators who hold a current certificate of proficiency on the board's website. - Amends TCA Title 4, Chapter 29 and Title 63. by *Rudder, *Daniel. (*SB511 by *Roberts)

On motion, House Bill No. 724 was made to conform with **Senate Bill No. 511**; the Senate Bill was substituted for the House Bill.

Rep. Daniel moved that Senate Bill No. 511 be passed on third and final consideration.

Rep. Rudder moved that Government Operations Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Daniel moved that **Senate Bill No. 511** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	93
Noes.....	0

MONDAY, APRIL 22, 2019 -- THIRTY-FIRST LEGISLATIVE DAY UNOFFICIAL VERSION

Representatives voting aye were: Baum, Beck, Boyd, Bricken, Byrd, Calfee, Camper, Carr, Carter, Cepicky, Chism, Clemmons, Cochran, Coley, Cooper, Crawford, Curcio, Daniel, DeBerry, Dixie, Doggett, Dunn, Eldridge, Faison, Farmer, Freeman, Gant, Garrett, Griffey, Hakeem, Halford, Hall, Hardaway, Haston, Hawk, Hazlewood, Helton, Hicks, Hill T, Hodges, Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson C, Johnson G, Keisling, Kumar, Lamar, Lamberth, Leatherwood, Littleton, Love, Lynn, Marsh, Miller, Mitchell, Moon, Ogles, Potts, Powell, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Sanderson, Sexton C, Sexton J, Shaw, Sherrell, Smith, Sparks, Stewart, Terry, Thompson, Tillis, Todd, Towns, Travis, Van Huss, Vaughan, Weaver, White, Whitson, Williams, Windle, Wright, Zachary, Mr. Speaker Casada--93

A motion to reconsider was tabled.

Senate Bill No. 634 -- Consumer Protection - As introduced, requires travel promoters to post a \$10,000 bond for each location doing business in this state. - Amends TCA Title 47 and Title 62. by *Johnson. (*HB1163 by *Ogles, *Whitson, *Hardaway, *White, *Helton)

Further consideration of Senate Bill No. 634, previously considered on April 8, 2019, April 15, 2019 and today's Regular Calendar, at which time the House substituted the Senate Bill for the House Bill and withdrew Amendments Nos. 1 and 2.

Rep. Ogles moved that Senate Bill No. 634 be passed on third and final consideration.

Rep. Freeman moved the previous question, which motion failed.

Rep. M. Hill requested that Senate Bill No. 634 be moved to the heel of the Calendar, which motion prevailed.

House Bill No. 874 -- Insurance Companies, Agents, Brokers, Policies - As introduced, corrects a reference to the insurance and banking committee of the house of representatives by replacing it with a reference to the insurance committee of the house of representatives. - Amends TCA Title 56. by *Curcio, *Hodges, *Weaver, *Todd, *Smith, *White, *Ragan. (*SB645 by *Roberts)

Rep. Curcio moved that House Bill No. 874 be passed on third and final consideration.

Rep. Travis moved adoption of Insurance Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 874 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 56-7-2802, is amended by deleting subdivision (3) and substituting instead the following:

(3) "Bona fide association" means an association that satisfies the requirements of § 56-26-204(a) and:

(A) Does not condition membership in the association on any health status-related factor relating to an individual, including an employee of an employer or a dependent of an employee;

(B) Makes health insurance coverage offered through the association available to all members regardless of any health status-related factor relating to the members or individuals eligible for coverage through a member;

(C) Does not make health insurance coverage offered through the association available other than in connection with a member of the association; and

(D) Meets additional requirements established by the commissioner;

SECTION 2. Tennessee Code Annotated, Section 56-26-101, is amended by deleting subdivision (7) and substituting instead the following:

(7) "Small employer" has the same meaning given in § 56-7-2203. However, for purposes of qualifying to establish a liability pool under § 56-26-204(a), all employees of all member employers participating in the provision of health insurance coverage must be included in the number of eligible employees; and

SECTION 3. Tennessee Code Annotated, Section 56-26-201(2), is amended by deleting the language "under a policy issued to an employer or trustees of a fund established by an employer, or to an association" and substituting instead the language "under a policy issued to an employer or trustees of a fund established by an employer, or to an association or other organization that qualifies under § 56-26-204(a) to establish a liability pool".

SECTION 4. Tennessee Code Annotated, Section 56-26-204, is amended by deleting the section and substituting instead the following:

(a)

(1) Two (2) or more member employers of the same trade or professional organization with at least five hundred (500) covered lives may enter into an agreement to pool their liabilities under this chapter for the purpose of qualifying as self-insurers. The trade or professional association must:

(A) Have a constitution or bylaws;

(B) Have members that support the association by regular payment of dues on an annual, semiannual, quarterly, or monthly basis; and

(C) Have at least one (1) substantial business purpose unrelated to offering and providing health insurance coverage or other employee benefits to its employer members and their employees. However, offering and providing such coverage or benefits may serve as the professional association's primary purpose.

(2)

(A) Ten (10) or more employers of the same nonprofit business coalition for health, organized in this state, may enter into an agreement with the coalition to pool their liabilities under this chapter for the purpose of qualifying as self-insurers. The business coalition must:

(i) Have a charter or bylaws;

(ii) Have members who support the coalition by regular payment of dues on an annual, semiannual, quarterly, or monthly basis; and

(iii) Have at least one (1) substantial business purpose unrelated to offering and providing health insurance coverage or other employee benefits to its employer members and their employees. However, offering and providing such coverage or benefits may serve as the coalition's primary purpose.

(B) A nonprofit business coalition for health does not qualify as a self-insurer under this subdivision (a)(2) until the department of commerce and insurance has promulgated the rules authorized by subsection (b).

(3) Two (2) or more member employers with at least five hundred (500) covered lives may enter into an agreement to pool their liabilities under this chapter for the purpose of qualifying as self-insurers if the employers are members of the same association that has a principal office within this state. The association must:

(A) Have a constitution or bylaws;

(B) Have members that support the association by regular payment of dues on an annual, semiannual, quarterly, or monthly basis; and

(C) Have at least one (1) substantial business purpose unrelated to offering and providing health insurance coverage or other employee benefits to its employer members and their employees. However, offering and providing such coverage or benefits may serve as the association's primary purpose.

(4) Two (2) or more member employers with at least five hundred (500) covered lives may enter into an agreement to pool their liabilities under this chapter for the purpose of qualifying as self-insurers if the employers are members of the same association that has a principal office within a municipality with a boundary that lies at least partially within this state. The association must:

(A) Have a constitution or bylaws;

(B) Have members that support the association by regular payment of dues on an annual, semiannual, quarterly, or monthly basis;

(C) Have at least one (1) substantial business purpose unrelated to offering and providing health insurance coverage or other employee benefits to its employer members and their employees. However, offering and providing such coverage or benefits may serve as the association's primary purpose;

(D) Adhere to any multi-state compact applicable to its establishment and operation; and

(E) Establish eligibility standards for membership in the association, subject to the requirements of this chapter.

(b) The commissioner of commerce and insurance has the authority to promulgate rules in accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5, as deemed necessary to provide for the solvency, administration, examination, and enforcement of the pooling agreements. However, such rules must not prohibit or deter any association lawfully formed under the laws of this state or any other state from offering health insurance coverage to its members within this state if the health insurance coverage complies with federal law. To the extent deemed necessary by the commissioner, each employer member of the approved group must be classified as a self-insurer as otherwise provided in this chapter.

(c) Pools created under this section are subject to taxation under chapter 4 of this title, filing and approval under this chapter, and laws for protection of policyholders under chapter 7 of this title.

(d) Notwithstanding any law to the contrary, a pool created under this section by an association of private, not-for-profit educational institutions, whose

association having been in existence for twenty-five (25) years or more, is exempt from taxation under chapter 4, part 2 of this title.

SECTION 5. This act shall take effect July 1, 2019, the public welfare requiring it.

On motion, Insurance Committee Amendment No. 1 was adopted.

Rep. Curcio moved that **House Bill No. 874**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	93
Noes.....	0
Present and not voting.....	1

Representatives voting aye were: Baum, Beck, Boyd, Bricken, Byrd, Calfee, Camper, Carter, Cepicky, Chism, Clemmons, Cochran, Coley, Cooper, Crawford, Curcio, Daniel, DeBerry, Dixie, Doggett, Dunn, Eldridge, Faison, Farmer, Freeman, Gant, Garrett, Griffey, Hakeem, Halford, Hall, Hardaway, Haston, Hawk, Hazlewood, Helton, Hicks, Hill M, Hill T, Hodges, Holsclaw, Holt, Howell, Hulsey, Johnson C, Johnson G, Keisling, Kumar, Lamar, Lamberth, Leatherwood, Littleton, Love, Lynn, Marsh, Miller, Mitchell, Moon, Ogles, Potts, Powell, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Sanderson, Sexton C, Sexton J, Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Terry, Thompson, Tillis, Todd, Towns, Travis, Van Huss, Vaughan, Weaver, White, Whitson, Williams, Windle, Wright, Zachary, Mr. Speaker Casada--93

Representatives present and not voting were: Jernigan--1

A motion to reconsider was tabled.

***House Bill No. 557** -- TennCare - As introduced, requires the bureau of TennCare to provide notice to the chair of the health and welfare committee of the senate and the chair of the health committee of the house of representatives prior to reducing payments on a pro rata basis. - Amends TCA Title 68 and Title 71. by *Johnson C, *Gant, *Williams. (SB1201 by *Crowe)

Rep. C. Johnson moved that House Bill No. 557 be passed on third and final consideration.

Rep. Travis moved adoption of Insurance Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 557 by deleting all language after the enacting clause and substituting the following:

SECTION 1. Tennessee Code Annotated, Section 71-5-1002(h), is amended by deleting the language "FY 2018-2019" in subdivision (1) and substituting the language "FY 2019-2020", and is further amended by deleting subdivision (4).

SECTION 2. Tennessee Code Annotated, Section 71-5-1003(c), is amended by deleting the language "from July 1, 2018, through June 30, 2019" and substituting the language "from July 1, 2019, through June 30, 2020".

SECTION 3. Tennessee Code Annotated, Section 71-5-1003(c)(1), is amended by deleting the language "July 1, 2018" and substituting the language "July 1, 2019".

SECTION 4. Tennessee Code Annotated, Section 71-5-1003(c)(2), is amended by deleting the language "July 1, 2018" and substituting the language "July 1, 2019".

SECTION 5. Tennessee Code Annotated, Section 71-5-1003(c)(3), is amended by deleting the language "July 1, 2018" and substituting the language "July 1, 2019".

SECTION 6. Tennessee Code Annotated, Section 71-5-1003(c)(4), is amended by deleting the language "after July 1, 2018, shall pay in FY 2018-2019" and substituting the language "after July 1, 2019, shall pay in FY 2019-2020".

SECTION 7. Tennessee Code Annotated, Section 71-5-1003(c)(5), is amended by deleting the language "from July 1, 2018, through June 30, 2019" and substituting the language "from July 1, 2019, through June 30, 2020".

SECTION 8. Tennessee Code Annotated, Section 71-5-1006(c)(1), is amended by deleting the language "on July 1, 2018" and substituting the language "on the first day of the state fiscal year".

SECTION 9. Tennessee Code Annotated, Section 71-5-1006, is amended by deleting subsection (e) and substituting the following:

(1) Any facility that is delinquent on the payment of its nursing home annual assessment fee imposed by law for any current or prior fiscal year shall establish a payment plan as provided for in this section.

(2) If a facility has established a payment plan concerning the delinquency that has been approved by the bureau of TennCare, then all fees and penalties imposed by this section must not be imposed so long as the facility is current with its payment plan, and no interest must accrue on any balance unpaid as of the due date for that amount.

(3) If a facility has not established a payment plan approved by the bureau of TennCare, then the bureau has the authority to recoup the amount of any delinquent payments as provided for in this section, and such amounts must be applied to reduce the unpaid balance of any nursing home assessment fees owed by the facility.

SECTION 10. Tennessee Code Annotated, Section 71-5-1009, is amended by deleting the language "nursing home assessment fee due prior to July 1, 2016" and substituting the language "nursing home assessment fee due during any current or prior fiscal year".

SECTION 11. Tennessee Code Annotated, Section 71-5-1010, is amended by deleting the language "June 30, 2019" and substituting the language "June 30, 2020".

SECTION 12. Tennessee Code Annotated, Section 71-5-1011, is amended by deleting the section.

SECTION 13. Tennessee Code Annotated, Section 68-11-216, is amended by deleting subsection (c).

SECTION 14. This act shall take effect July 1, 2019, the public welfare requiring it.

On motion, Insurance Committee Amendment No. 1 was adopted.

Rep. C. Johnson moved that **House Bill No. 557**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	92
Noes.....	2

Representatives voting aye were: Baum, Beck, Boyd, Bricken, Byrd, Calfee, Camper, Carr, Carter, Cepicky, Clemmons, Cochran, Coley, Cooper, Crawford, Curcio, Daniel, DeBerry, Dixie, Doggett, Dunn, Eldridge, Faison, Farmer, Freeman, Gant, Garrett, Griffey, Hakeem, Halford, Hall, Hardaway, Haston, Hawk, Hazlewood, Helton, Hicks, Hill M, Hill T, Hodges, Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson C, Johnson G, Keisling, Kumar, Lamar, Lamberth, Leatherwood, Littleton, Love, Marsh, Miller, Mitchell, Moon, Ogles, Potts, Powell, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Sanderson, Sexton C, Sexton J, Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Terry, Thompson, Tillis, Todd, Towns, Travis, Van Huss, Vaughan, Weaver, White, Whitson, Williams, Wright, Zachary, Mr. Speaker Casada--92

Representatives voting no were: Lynn, Windle--2

A motion to reconsider was tabled.

House Bill No. 118 -- Taxes, Hotel Motel - As introduced, authorizes the City of Ashland City, by ordinance adopted by a two-thirds vote, to levy an occupancy tax of not more than 5 percent on the privilege of staying in any hotel or motel in Ashland City; the ordinance must set forth the manner of collection and administration of the privilege tax; requires that all proceeds received by the municipality from the tax be used for tourism development. - Amends TCA Section 67-4-1425. by *Littleton. (*SB7 by *Roberts, *Kurita)

MONDAY, APRIL 22, 2019 -- THIRTY-FIRST LEGISLATIVE DAY UNOFFICIAL VERSION

On motion, House Bill No. 118 was made to conform with **Senate Bill No. 7**; the Senate Bill was substituted for the House Bill.

Rep. Littleton moved that Senate Bill No. 7 be passed on third and final consideration.

Rep. Crawford moved that Local Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Littleton moved that **Senate Bill No. 7** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	85
Noes.....	4
Present and not voting.....	4

Representatives voting aye were: Baum, Beck, Boyd, Bricken, Byrd, Calfee, Camper, Carr, Carter, Cepicky, Chism, Clemmons, Cochran, Coley, Cooper, Curcio, DeBerry, Dixie, Dunn, Eldridge, Faison, Farmer, Freeman, Gant, Garrett, Griffey, Hakeem, Halford, Hall, Hardaway, Haston, Hawk, Hazlewood, Helton, Hicks, Hill M, Hill T, Hodges, Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson G, Keisling, Kumar, Lafferty, Lamar, Lamberth, Leatherwood, Littleton, Love, Marsh, Miller, Mitchell, Moon, Ogles, Potts, Powell, Powers, Ragan, Ramsey, Reedy, Rudder, Russell, Sanderson, Sexton C, Shaw, Sherrell, Smith, Staples, Terry, Thompson, Tillis, Towns, Travis, Van Huss, Vaughan, Weaver, White, Whitson, Williams, Wright, Zachary, Mr. Speaker Casada--85

Representatives voting no were: Daniel, Doggett, Lynn, Sexton J--4

Representatives present and not voting were: Crawford, Rudd, Todd, Windle--4

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member desires to change their original stand from "aye" to "no" on **Senate Bill No. 7** and have this statement entered in the Journal: Rep. Holt.

REGULAR CALENDAR, CONTINUED

***House Bill No. 397** -- Public Funds and Financing - As introduced, establishes a victims of human trafficking fund in the state treasury to provide comprehensive treatment and support services to victims of human trafficking. - Amends TCA Title 9, Chapter 4, Part 2; Section 39-13-314 and Title 39, Chapter 11, Part 7. by *Moody, *Littleton, *Coley, *Byrd. (SB447 by *Bell, *Crowe, *Akbari, *Kelsey, *Massey, *Stevens)

MONDAY, APRIL 22, 2019 -- THIRTY-FIRST LEGISLATIVE DAY UNOFFICIAL VERSION

On motion, House Bill No. 397 was made to conform with **Senate Bill No. 447**; the Senate Bill was substituted for the House Bill.

Rep. Littleton moved that Senate Bill No. 447 be passed on third and final consideration.

Rep. Curcio moved that Judiciary Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Lynn moved that Finance, Way and Mean Committee Amendment No. 1, as House Amendment No. 2, be withdrawn, which motion prevailed.

Rep. Lynn moved the House reconsider its action in withdrawing Finance, Way and Mean Committee Amendment No. 1, as House Amendment No. 2, which motion prevailed.

Rep. Lynn moved adoption of Finance, Ways, and Means Committee Amendment No. 1, as House Amendment No. 2, as follows:

Amendment No. 2

AMEND Senate Bill No. 447 by deleting the language "proceeds from assets seized pursuant to § 39-11-703," from subsection (a) in the amendatory language of Section 1.

On motion, Finance, Ways, and Means Committee Amendment No. 1, as House Amendment No. 2, was adopted.

Rep. Littleton moved that **Senate Bill No. 447**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 96
Noes 0

Representatives voting aye were: Baum, Beck, Boyd, Bricken, Byrd, Calfee, Camper, Carr, Carter, Cepicky, Chism, Clemmons, Cochran, Coley, Cooper, Crawford, Curcio, Daniel, DeBerry, Dixie, Doggett, Dunn, Eldridge, Faison, Farmer, Freeman, Gant, Garrett, Griffey, Hakeem, Halford, Hall, Hardaway, Haston, Hawk, Hazlewood, Helton, Hicks, Hill M, Hill T, Hodges, Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson C, Johnson G, Keisling, Kumar, Lafferty, Lamar, Lamberth, Leatherwood, Littleton, Love, Lynn, Marsh, Miller, Mitchell, Moon, Ogles, Potts, Powell, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Sanderson, Sexton C, Sexton J, Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Terry, Thompson, Tillis, Todd, Towns, Travis, Van Huss, Vaughan, Weaver, White, Whitson, Williams, Windle, Wright, Zachary, Mr. Speaker Casada--96

A motion to reconsider was tabled.

House Bill No. 1244 -- Education, Curriculum - As introduced, decreases, from "at least two" to "at least one", the number of physical education class meetings an LEA must require

elementary school students to attend each full school week. - Amends TCA Section 49-6-1021. by *Dunn, *Byrd. (*SB330 by *Hensley)

BILL HELD ON DESK

Rep. Dunn moved that **House Bill No. 1244** be held on the Clerk's desk, which motion prevailed.

REGULAR CALENDAR, CONTINUED

***House Bill No. 945** -- Education, Dept. of - As introduced, requires the department to submit an annual report to the education committees of both houses on school districts that offer a career and technical education program in agriculture, food, and natural resources, and on students enrolled in the program. - Amends TCA Title 49, Chapter 11. by *Lamberth, *Gant, *White, *DeBerry, *Smith, *Hardaway. (SB801 by *Johnson, *Haile, *Stevens, *Yager)

On motion, House Bill No. 945 was made to conform with **Senate Bill No. 801**; the Senate Bill was substituted for the House Bill.

Rep. Gant moved that Senate Bill No. 801 be passed on third and final consideration.

Rep. White moved that Education Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Lynn moved adoption of Finance, Ways, and Means Committee Amendment No. 1, as House Amendment No 2, as follows:

Amendment No. 2

AMEND Senate Bill No. 801 by deleting all language after the caption and substituting instead the following:

WHEREAS, Tennessee is one of the nation's leading agricultural states and benefits from an annual economic impact of more than \$57 billion generated from agriculture; and

WHEREAS, national trends continue to show a decline in the number of young farmers and ranchers entering the agricultural workforce; and

WHEREAS, our national security and economic security as a State and a nation require a prosperous agricultural industry; and

WHEREAS, our education system's renewed focus on career and technical education must reflect the value and opportunity of careers in agriculture; and

WHEREAS, the agricultural industry will continue to undergo rapid technological change and innovation, presenting opportunities for Tennessee to lead the nation in agricultural progress; and

WHEREAS, this State recognizes the importance of agriculture to our everyday lives and sharing the message of how agriculture contributes to our strong economy through the production of safe, abundant, and affordable food and fiber products and renewable energy, and the creation of job opportunities; now, therefore,

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 49, Chapter 11, Part 1, is amended by adding the following as a new, appropriately designated section:

(a) For the purpose of encouraging and promoting agricultural education opportunities and agricultural education programs in public schools that prepare students for successful careers and informed choices relating to opportunities in agriculture-related employment and higher education by providing instruction and developing skills in relevant areas through integrated classroom and lab instruction, supervised agricultural experiences, leadership experiences, and involvement in student organizations, there is established a task force to be known as the "Agriculture Education and Youth Participation Task Force."

(b) The task force shall consist of the following eleven (11) members:

(1) One (1) agricultural industry representative, advocate, or educator, to be appointed by the governor, who shall serve as chair of the task force;

(2) The commissioner of education or the commissioner's designee;

(3) The commissioner of agriculture or the commissioner's designee;

(4) One (1) faculty or staff member at a community college or college of applied technology governed by the board of regents with expertise in agribusiness or agricultural education, to be appointed by the chancellor of the board of regents;

(5) One (1) University of Tennessee faculty member with expertise in agricultural economics or agricultural education, to be appointed by the president of the University of Tennessee;

(6) One (1) Tennessee State University faculty member with expertise in agribusiness or agricultural education, to be appointed by the president of Tennessee State University;

(7) One (1) agricultural educator or Future Farmers of America representative, to be appointed by the speaker of the senate;

(8) One (1) agricultural educator or 4-H representative, to be appointed by the speaker of the house of representatives;

(9) One (1) agricultural educator, to be appointed by the governor;

(10) The chair of the agriculture and natural resources committee of the house of representatives or the chair's designee; and

(11) The chair of the energy, agriculture, and natural resources committee of the senate or the chair's designee.

(c) The task force shall analyze and make recommendations on the following:

(1) The agricultural education mission in Tennessee;

(2) Agricultural education structure and delivery in Tennessee;

(3) The skills and credentials in demand in Tennessee's agricultural sector;

(4) Emerging fields in agriculture and the training and knowledge required for advancement in those fields;

(5) The impact of new technologies on agribusiness;

(6) The impact of agricultural extracurricular participation on outcomes for youth;

(7) Aligning the investment in science, technology, engineering, and math (STEM) education with the agricultural education mission; and

(8) Integrating agricultural education and agricultural career readiness goals into the Tennessee Pathways initiative.

(d) The task force shall complete its analysis and deliver a report containing its findings and recommendations to the governor and the general assembly no later than February 1, 2020.

(e) The task force shall meet upon the call of the chair.

(f) The department of education shall provide necessary administrative support for the task force. The chair of the task force may call on relevant state agencies for assistance in the task force's work.

(g) The members of the task force serve without compensation but are entitled to reimbursement for any travel expenses incurred. All reimbursement

for travel must be provided in accordance with the comprehensive travel regulations as promulgated by the department of finance and administration and approved by the attorney general and reporter.

(h) The task force shall terminate and cease to exist upon delivery of the task force's report to the governor and the general assembly containing its findings and recommendations required by this section.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Finance, Ways, and Means Committee Amendment No. 1, as House Amendment No. 2, was adopted.

Rep. Gant moved that **Senate Bill No. 801**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	95
Noes	0

Representatives voting aye were: Baum, Beck, Boyd, Bricken, Byrd, Calfee, Camper, Carr, Carter, Cepicky, Chism, Clemmons, Cochran, Coley, Cooper, Crawford, Curcio, Daniel, DeBerry, Dixie, Doggett, Dunn, Eldridge, Faison, Farmer, Freeman, Gant, Garrett, Griffey, Hakeem, Halford, Hall, Hardaway, Haston, Hawk, Hazlewood, Helton, Hicks, Hill M, Hill T, Hodges, Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson C, Johnson G, Keisling, Kumar, Lafferty, Lamar, Lamberth, Leatherwood, Littleton, Love, Lynn, Marsh, Miller, Mitchell, Moon, Ogles, Potts, Powell, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Sanderson, Sexton C, Sexton J, Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Terry, Thompson, Tillis, Todd, Towns, Travis, Van Huss, Weaver, White, Whitson, Williams, Windle, Wright, Zachary, Mr. Speaker Casada--95

A motion to reconsider was tabled.

House Bill No. 991 -- Taxes - As introduced, increases maximum civil penalty for submitting a fraudulent application for a refund of sales tax paid on appliances bought due to a natural disaster from \$25,000 to \$25,500. - Amends TCA Title 67. by *Ramsey. (*SB412 by *Stevens)

Rep. Ramsey moved that **House Bill No. 991** be reset for the next available Regular Calendar, which motion prevailed.

***House Bill No. 794** -- Alcoholic Beverages - As introduced, allows premises authorized to serve wine to also serve high alcohol content beer. - Amends TCA Title 57, Chapter 3, Part 7 and Title 57, Chapter 4. by *Ramsey, *Hazlewood, *Jernigan, *White, *Cooper, *Hardaway, *Helton. (SB1082 by *Dickerson)

Rep. Ramsey moved that House Bill No. 794 be passed on third and final consideration.

Rep. Keisling moved adoption of State Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 794 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 57-3-704(a)(1), is amended by adding the following new language after the first sentence:

The training program must consist of not less than three and one-half (3 ½) hours of alcohol awareness training.

SECTION 2. Tennessee Code Annotated, Section 57-4-102(28)(A), is amended by deleting the semicolon at the end of the subdivision and adding the following language to the end of the subdivision:

. Within the premises as defined in this subdivision (28)(A), and subject to the municipality's right of ownership and control and any conditions, rules, or regulations imposed by the city or its designee or by law, alcoholic beverages may also be served to customers seated at tables and chairs contiguous to the outside front wall of a licensee's building;

renumbering the last section accordingly:

SECTION 3. Tennessee Code Annotated, Section 57-4-106, is amended by deleting the language "sell" wherever it appears and substituting instead the language "serve or sell".

SECTION 4. Tennessee Code Annotated, Section 57-4-101(p), is amended by deleting the subsection and substituting instead the following:

(p) An entity licensed or applying for a license under subsection (a), or a manufacturer exercising the rights granted to it under § 57-3-202(i)(1), may include in the entity's designation of its premises any contiguous area owned or controlled by the entity for purposes of on-premises consumption of alcoholic beverages and beer. If the contiguous area used for on-premises consumption is unenclosed, the entity shall make reasonable efforts to ensure that a customer cannot leave the premises with an alcoholic beverage or beer purchased on the premises by using barriers to prevent the ingress and egress of customers to and from the premises. If more than one (1) entity licensed under subsection (a) or § 57-3-202 operates within the same building or facility, the designations of premises under this subsection (p) may overlap; provided, that each entity serves alcoholic beverages and beer in a glass or cup identifying the entity selling the alcoholic beverages or beer for on-premises consumption.

SECTION 5. Tennessee Code Annotated, Section 57-4-102(28)(C)(i), is amended by deleting the subdivision and substituting instead the following:

MONDAY, APRIL 22, 2019 -- THIRTY-FIRST LEGISLATIVE DAY UNOFFICIAL VERSION

(i) Referring to one (1) or more establishments licensed under this chapter, or a manufacturer exercising the rights granted to it under §57-3-202(i)(1); and

SECTION 6. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, State Committee Amendment No. 1 was adopted.

Rep. Ramsey moved that **House Bill No. 794**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	73
Noes.....	15
Present and not voting.....	5

Representatives voting aye were: Baum, Beck, Boyd, Bricken, Calfee, Camper, Carr, Carter, Chism, Coley, Cooper, Crawford, Curcio, Daniel, Dixie, Eldridge, Faison, Farmer, Freeman, Gant, Garrett, Griffey, Hakeem, Halford, Hall, Hardaway, Hawk, Hazlewood, Helton, Hicks, Hodges, Holsclaw, Hulse, Jernigan, Johnson C, Johnson G, Keisling, Kumar, Lafferty, Lamar, Lamberth, Leatherwood, Littleton, Marsh, Miller, Mitchell, Moon, Ogles, Potts, Powell, Ragan, Ramsey, Reedy, Rudder, Russell, Sanderson, Sexton C, Shaw, Sherrell, Smith, Staples, Stewart, Terry, Thompson, Tillis, Todd, Towns, Travis, Weaver, Whitson, Williams, Wright, Mr. Speaker Casada--73

Representatives voting no were: Byrd, Cepicky, Cochran, Doggett, Dunn, Haston, Hill M, Hill T, Holt, Howell, Lynn, Sexton J, Van Huss, Windle, Zachary--15

Representatives present and not voting were: DeBerry, Powers, Rudd, Sparks, White--5

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member desires to change their original stand from "aye" to "no" on **House Bill No. 794** and have this statement entered in the Journal: Rep. Sherrell.

PRESENT IN CHAMBER

Rep. Parkinson was recorded as being present in the Chamber.

REGULAR CALENDAR, CONTINUED

***Senate Bill No. 360** -- Tobacco, Tobacco Products - As introduced, expands the Prevention of Youth Access to Tobacco and Vapor Products Act and other laws concerning

juveniles' access to tobacco and vaping products to apply to hemp for smoking. - Amends TCA Title 39; Title 40 and Section 68-1-132. by *Southerland, *Niceley. (HB1284 by *Reedy)

Rep. Reedy moved that **Senate Bill No. 360** be reset for the next available Regular Calendar, which motion prevailed.

***House Bill No. 247** -- State Government - As introduced, establishes daylight saving time as the standard time in Tennessee, subject to authorization to do so from the United States Congress. - Amends TCA Section 4-1-401. by *Tillis, *Lamberth, *Sherrell, *Vaughan, *Littleton, *Weaver, *Helton, *Terry, *Bricken, *Smith, *Faison. (SB1100 by *Dickerson, *Kelsey)

Rep. Tillis moved that House Bill No. 247 be passed on third and final consideration.

Rep. Lynn moved adoption of Finance, Ways, and Means Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 247 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 4-1-401, is amended by adding the following as a new subsection (d):

(1) This state shall observe the advancement of time provided in 15 U.S.C. § 260a at all times throughout the year, and daylight saving time will be the standard time of the entire state and all of its political subdivisions upon compliance with the following conditions:

(A) The United States congress amending or repealing 15 U.S.C. § 260a to authorize states to observe daylight saving time year round;

(B) The commissioner of transportation certifying in writing to the speakers of the senate and the house of representatives the congressional action described in subdivision (d)(1)(A); and

(C) The general assembly, by joint resolution, confirming the congressional action described in subdivision (d)(1)(A) and authorizing the implementation of the state's observation of daylight saving time year round.

(2) The observation of year-round daylight saving time will begin the first Sunday of November following compliance with the requirements of subdivision (d)(1).

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

MONDAY, APRIL 22, 2019 -- THIRTY-FIRST LEGISLATIVE DAY UNOFFICIAL VERSION

On motion, Finance, Ways, and Means Committee Amendment No. 1 was adopted.

Rep. Whitson moved the previous question, which motion prevailed.

Rep. Tillis moved that **House Bill No. 247**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	86
Noes.....	5
Present and not voting.....	5

Representatives voting aye were: Baum, Beck, Boyd, Bricken, Byrd, Calfee, Camper, Carr, Carter, Cepicky, Chism, Cochran, Coley, Cooper, Crawford, Curcio, Daniel, DeBerry, Dunn, Eldridge, Faison, Farmer, Freeman, Gant, Garrett, Griffey, Hakeem, Halford, Hall, Hardaway, Haston, Hawk, Hazlewood, Helton, Hicks, Hill M, Hill T, Hodges, Holsclaw, Howell, Hulsey, Jernigan, Johnson C, Keisling, Lafferty, Lamar, Lamberth, Leatherwood, Littleton, Love, Lynn, Marsh, Miller, Moon, Ogles, Parkinson, Potts, Powell, Powers, Ragan, Ramsey, Reedy, Rudder, Russell, Sanderson, Sexton C, Sexton J, Shaw, Sherrell, Smith, Sparks, Staples, Terry, Tillis, Todd, Towns, Travis, Van Huss, Weaver, White, Whitson, Williams, Windle, Wright, Zachary, Mr. Speaker Casada--86

Representatives voting no were: Clemmons, Holt, Mitchell, Stewart, Thompson--5

Representatives present and not voting were: Dixie, Doggett, Johnson G, Kumar, Rudd--5

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member desires to change their original stand from "present and not voting" to "aye" on **House Bill No. 247** and have this statement entered in the Journal: Rep. Doggett.

REGULAR CALENDAR, CONTINUED

House Bill No. 1028 -- Taxes - As introduced, requires that "net earnings" or "net loss" be defined as federal taxable income or loss according to the federal Tax Cuts and Jobs Act of 2017. - Amends TCA Title 67, Chapter 4, Part 20. by *Lynn, *Shaw, *Gant, *Hazlewood. (*SB558 by *Johnson, *Stevens)

On motion, House Bill No. 1028 was made to conform with **Senate Bill No. 558**; the Senate Bill was substituted for the House Bill.

Rep. Lynn moved that Senate Bill No. 558 be passed on third and final consideration.

Rep. Hazlewood moved that Finance, Way and Means Committee Amendment No. 1 be withdrawn, which motion prevailed.

1622

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MONDAY, APRIL 22, 2019 -- THIRTY-FIRST LEGISLATIVE DAY UNOFFICIAL VERSION

Rep. Lynn moved that **Senate Bill No. 558** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 93
Noes 0

Representatives voting aye were: Baum, Beck, Boyd, Bricken, Byrd, Calfee, Carr, Carter, Cepicky, Chism, Clemmons, Cochran, Coley, Cooper, Curcio, Daniel, DeBerry, Dixie, Doggett, Dunn, Eldridge, Faison, Farmer, Gant, Garrett, Griffey, Hakeem, Halford, Hall, Haston, Hawk, Hazlewood, Helton, Hicks, Hill M, Hill T, Hodges, Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson C, Johnson G, Keisling, Kumar, Lafferty, Lamar, Lamberth, Leatherwood, Littleton, Love, Lynn, Marsh, Miller, Mitchell, Moon, Ogles, Parkinson, Potts, Powell, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Sanderson, Sexton C, Sexton J, Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Terry, Thompson, Tillis, Todd, Towns, Travis, Van Huss, Vaughan, Weaver, White, Whitson, Williams, Windle, Wright, Zachary, Mr. Speaker Casada--93

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member desires to change their original stand from "aye" to "no" on **Senate Bill No. 558** and have this statement entered in the Journal: Rep. G. Johnson.

REGULAR CALENDAR, CONTINUED

House Bill No. 1075 -- Wine & Wineries - As introduced, creates the Tennessee wine and grape board; establishes the powers and duties of the board; creates the wine and grape fund; provides for the funding of the fund and the manner in which such funds may be used by the board. - Amends TCA Title 4; Title 43; Title 57 and Title 67. by *Sanderson, *Faison. (*SB302 by *Yager)

Rep. Sanderson moved that House Bill No. 1075 be passed on third and final consideration.

Rep. Keisling requested that State Committee Amendment No. 1 be placed at the heel of the amendments.

Rep. Lynn moved adoption of Finance, Ways, and Means Committee Amendment No. 1, as House Amendment No. 2, as follows:

Amendment No. 2

AMEND House Bill No. 1075 by deleting all the language after the enacting clause and substituting instead the following:

1623

This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

SECTION 1. Tennessee Code Annotated, Section 4-29-240(a), is amended by deleting subdivision (56).

SECTION 2. Tennessee Code Annotated, Title 43, is amended by deleting chapter 30.

SECTION 3. Tennessee Code Annotated, Title 57, Chapter 3, is amended by adding the following new part:

57-3-1101.

(a) The Tennessee wine and grape board is hereby created, referred to in this part as the "board," for the purpose of supporting the growth of the wine industry in this state.

(b) For administrative purposes only, the board is attached to the department of agriculture.

(c) The board is composed of seven (7) members, appointed by the governor, as follows:

(1) The commissioner of the department of agriculture, or the commissioner's designee;

(2) The commissioner of tourism, or the commissioner's designee;

(3) A Tennessee wine producer;

(4) A Tennessee grape or fruit producer;

(5) A person in higher education with a background in fermentation or viticulture; and

(6) Two (2) members who are involved, with respect to the wine industry in this state, in production, marketing, sales, journalism, or education.

(d) Members appointed under subdivisions (c)(3)-(6) serve at the pleasure of the governor.

(e) The members of the board shall receive no compensation for their service on the board, nor are the members entitled to per diem or travel expenses for the purposes of carrying out their duties under this part.

(f) The commissioner of agriculture shall call the first meeting of the board. The board shall elect its chair and other officers at the first meeting of the board and annually thereafter.

(g) For the initial appointments of members under subdivisions (c)(3)-(6), the governor shall appoint two (2) members to four-year terms, two (2) members to three-year terms, and one (1) member to a two-year term.

(h) After the initial appointments, each appointed member shall serve a term of four (4) years. Vacancies on the board must be filled in the same manner as the initial appointment.

(i) For purposes of conducting official business of the board, a quorum consists of no less than four (4) members.

(j) The board shall issue an annual report on the wine industry and viticulture in this state and on current and future activities of the board, and shall submit the report to the governor, the commissioner of agriculture, the commissioner of finance and administration, and to the chairs of the house agricultural committee and the senate energy, agriculture and natural resources committee.

57-3-1102.

(a) There is created within the general fund a separate account called the Tennessee wine and grape fund. Funds in the Tennessee wine and grape fund must be used to:

(1) Increase the number of Tennessee wineries;

(2) Improve the quality of wine produced by Tennessee wineries;

(3) Promote the wine industry and the viticulture of this state; and

(4) Issue grants for purposes of promoting the wine industry and viticulture in this state.

(b) The board may receive gifts, donations, grants, and funds to promote its activities and support ongoing programs. Any funds raised by the board must be used in accordance with this part.

(c) Any funds received by the board shall be held by the department and accounted for separately for such use.

(d) The office of the comptroller of the treasury may audit the board as it deems necessary.

57-3-1103.

The board may promulgate rules for the purpose of carrying out this part.

MONDAY, APRIL 22, 2019 -- THIRTY-FIRST LEGISLATIVE DAY UNOFFICIAL VERSION

SECTION 4. This act shall take effect July 1, 2019, the public welfare requiring it.

On motion, Finance, Ways, and Means Committee Amendment No. 1, as House Amendment No. 2, was adopted.

Rep. Keisling moved that State Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Sanderson moved that **House Bill No. 1075**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 79
Noes..... 13

Representatives voting aye were: Baum, Beck, Boyd, Bricken, Calfee, Carr, Carter, Chism, Clemmons, Cochran, Coley, Cooper, Curcio, Daniel, DeBerry, Dixie, Eldridge, Faison, Farmer, Freeman, Gant, Garrett, Griffey, Hakeem, Halford, Hall, Hardaway, Hawk, Hazlewood, Helton, Hicks, Hodges, Holsclaw, Hulsey, Jernigan, Johnson C, Johnson G, Keisling, Kumar, Lafferty, Lamar, Lamberth, Leatherwood, Littleton, Love, Lynn, Marsh, Miller, Mitchell, Moon, Ogles, Potts, Powell, Powers, Ragan, Ramsey, Reedy, Rudder, Russell, Sanderson, Sexton C, Shaw, Smith, Sparks, Staples, Stewart, Terry, Thompson, Tillis, Todd, Towns, Travis, Vaughan, Weaver, White, Whitson, Windle, Wright, Mr. Speaker Casada--79

Representatives voting no were: Byrd, Cepicky, Doggett, Dunn, Haston, Hill M, Hill T, Holt, Howell, Sexton J, Sherrell, Van Huss, Zachary--13

A motion to reconsider was tabled.

***House Bill No. 1070** -- Alcoholic Beverages - As introduced, designates Weir Park in Clay County as a premier type tourist resort for purposes of consumption of alcoholic beverages on the premises. - Amends TCA Section 57-4-102. by *Sanderson, *Boyd. (SB1417 by *Dickerson, *Pody)

On motion, House Bill No. 1070 was made to conform with **Senate Bill No. 1417**; the Senate Bill was substituted for the House Bill.

Rep. Sanderson moved that Senate Bill No. 1417 be passed on third and final consideration.

Rep. Keisling requested that State Committee Amendment No. 1 be placed at the heel of the amendments.

Rep. Lynn moved adoption of Finance, Ways, and Means Committee Amendment No. 1, as House Amendment No. 2, as follows:

Amendment No. 2

AMEND Senate Bill No. 1417 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 57-4-102(27), is amended by adding the following new subdivision:

() A commercially operated facility that:

(i) Operates a restaurant with seating for approximately fifty (50) patrons, with an extended porch for additional seating;

(ii) Operates an event center that serves as a venue for weddings, concerts, and similar events;

(iii) Is located within one (1) mile of Dale Hollow Lake, and within one hundred feet (100') of the Dale Hollow Quarry;

(iv) Is located on approximately eighty-five (85) acres; and

(v) Is located in a county with a population of not less than seven thousand eight hundred fifty-one (7,851) and not more than seven thousand eight hundred sixty-five (7,865), according to the 2010 or any subsequent federal census;

SECTION 2. Tennessee Code Annotated, Section 57-4-102(13), is amended by adding the following new subdivision ():

() "Community theater" also means a theater possessing each of the following characteristics:

(i) The theater opened on December 9, 1949;

(ii) The theater originally seated approximately one thousand (1,000) persons in spring-covered chairs;

(iii) The theater reopened in July of 2012, serving as a multifunctional event venue, hosting weddings, concerts, nonprofit events, movies, and musical theatre; and

(iv) The theater is located in a city with a population of not less than twenty-six thousand one hundred ninety (26,190) and not more than twenty-six thousand one hundred ninety-nine (26,199), according to the 2010 and any subsequent federal census;

SECTION 3. Tennessee Code Annotated, Section 57-4-102(31), is amended by designating the existing language as subdivision (A) and adding the following as a new subdivision:

() "Retirement center" also means a facility that contains each of the following characteristics:

(i) The center is located in a county having a population of not less than one hundred fifty-six thousand eight hundred (156,800) nor more than one hundred fifty-six thousand nine hundred (156,900), according to the 2010 federal census or any subsequent federal census;

(ii) The center will consist of recreational areas, a fitness center, a dining room with seating for at least one hundred fifty (150) people and a lounge area, and at least one hundred (100) individual living unit apartments;

(iii) The center will have a facility of at least one hundred five thousand square feet (105,000 sq. ft.) and is located on approximately eight (8) acres near the corner of Fort Henry Drive and Holston Hills Drive; and

(iv) The center's lounge area will offer, to the center's residents and their guests only, food, nonalcoholic beverages, mixed alcoholic drinks, wine, and beer, as well as make available in the dining room and other areas within the center's property, for the center's residents and guests only, mixed alcoholic drinks, wine, and beer;

SECTION 4. Tennessee Code Annotated, Section 57-4-102(13), is amended by adding the following as a new subdivision:

(l) "Community theater" also means a theater possessing each of the following characteristics:

(i) The theater was opened in 1995;

(ii) The theater's performance hall has seating for at least one hundred twenty (120) patrons;

(iii) The theater is used for concerts, plays, and programs of cultural, civic, and educational interest;

(iv) The theater is operated by a not-for-profit corporation that is exempt from taxation under § 501(c) of the Internal Revenue Code of 1954 (26 U.S.C. § 501(c)), as amended, where no member, officer, agent, or employee of the theater is paid, or directly or indirectly receives, in the form of salary or other compensation, any profits from the sale of alcoholic beverages beyond the amount of the salary as may be fixed by its governing body for the reasonable performance of the person's assigned duties. All profits from the sale of alcoholic beverages by the not-for-profit corporation must be used for the operation, renovation, refurbishing, and maintenance of the theater, and in furtherance of the purposes of the organization. Alcoholic beverages may be sold before,

during, and after performances, and may be consumed inside any auditorium or performance hall within the theater; and

(v) The theater is located in a county having a population not less than two hundred sixty-two thousand six hundred (262,600) nor more than two hundred sixty-two thousand seven hundred (262,700), according to the 2010 federal census or any subsequent federal census;

SECTION 5. Tennessee Code Annotated, Section 57-4-102(30), is amended by adding the following new subdivision:

() "Restaurant" also means a facility that:

(i) Began operating on September 5, 2018;

(ii) Has a seating capacity for patrons of approximately one hundred forty (140);

(iii) Is located on Hixson Pike within one thousand five hundred feet (1,500') of Dallas Bay on the Tennessee River and within six thousand feet (6,000') of Chester Frost Park;

(iv) Is approximately two thousand square feet (2,000 sq. ft.); and

(v) Is located in a county with a population of not less than three hundred thirty-six thousand four hundred (336,400) and not more than three hundred thirty-six thousand five hundred (336,500), according to the 2010 federal census or any subsequent federal census;

SECTION 6. Tennessee Code Annotated, Section 57-4-102(27), is amended by adding the following as a new subdivision:

(i) A commercially operated facility having all of the following characteristics:

(a) The facility is located on approximately twenty-two (22) acres of land;

(b) The facility is located less than three (3) miles south of an area designated as a state park consisting of approximately nine hundred (900) acres that is open to the public and adjacent to a state forest having at least nine thousand (9,000) acres;

(c) The facility is located within five (5) miles of Interstate 840 in a county with a population of not less than one hundred thirteen thousand nine hundred fifty (113,950) and not more than one hundred forty thousand (140,000), according to the 2010 federal census or any subsequent federal census;

(d) The facility is approximately fifteen thousand feet (15,000 ft.) east of a private motor racing complex originally constructed in approximately 2001 with a seating capacity of more than ten thousand (10,000);

(e) The facility includes a cabin, pier, bridge, amphitheater, commercial kitchen, shop, pond, hall with an adjacent courtyard, a climate-controlled event center, and a manor constructed in the 1830s having at least seven (7) guest rooms for lodging;

(f) The facility serves as a venue for weddings, meetings, conferences, and events; and

(g) The restaurant at the manor serves breakfast and dinner, and caters for events, with seating for at least forty-five (45) guests. The facility has two event centers that can accommodate at least two hundred (200) guests at each center;

(ii) The premises of any facility licensed under this subdivision (27)() means any or all of the property that constitutes the facility. The licensee shall designate the premises to be licensed by the commission by filing a drawing of the premises, which may be amended by the licensee filing a new drawing. The entire designated premises is covered under one (1) license issued under this subdivision (27)();

(iii) Notwithstanding any provision of chapter 5 of this title to the contrary, the premises of any facility licensed under this subdivision (27)() means for beer permitting purposes any or all of the property that constitutes the facility. The beer permittee shall designate the premises to be permitted by the local beer board by filing a drawing of the premises, which may be amended by the beer permittee filing a new drawing. The entire designated premises is covered under one (1) beer permit issued under chapter 5 of this title;

(iv) The requirements of § 57-5-105(b)(1) do not apply to any facility licensed under this subdivision (27)(); and

(v) Any facility licensed under this subdivision (27)(), may seek an additional license as a caterer pursuant to § 57-4-102(6);

SECTION 7. Tennessee Code Annotated, Section 57-4-102(27), is amended by adding the following as a new subdivision:

(i) A commercially operated facility having all of the following characteristics:

(a) Is located on Norris Lake;

(b) Has a marina with not less than one hundred seventy (170) slips;

(c) Has not less than seven (7) houses and twenty-two (22) floating houses available for rent;

(d) Has a restaurant with indoor and outdoor seating for at least one hundred seventy (170) patrons;

(e) Does not discriminate against any patron on the basis of age, gender, race, religion, or national origin; and

(f) Is located in any county having a population of not less than forty thousand seven hundred (40,700) nor more than forty thousand eight hundred (40,800), according to the 2010 federal census or any subsequent federal census; and

(ii) The premises of any facility licensed under this subdivision (27)() means any or all of the property that constitutes the facility. The licensee shall designate the premises to be licensed by the commission by filing a drawing of the premises, which may be amended by the licensee filing a new drawing. The entire designated premises is covered under one (1) license issued under this subdivision (27)();

SECTION 8. Tennessee Code Annotated, Section 57-4-102(27), is amended by adding the following as a new subdivision:

(i) A commercially operated facility having all of the following characteristics:

(a) Operates a hotel with sixteen (16) guest rooms, with each floor other than the first floor equipped with a chef's kitchen, living room with a fireplace, and dining table;

(b) Operates a catering kitchen for events on the premises;

(c) Has event space of over eight hundred (800) square feet located on the first and fourth floors;

(d) Is a venue for weddings, dinner parties, business retreats, reunions, and similar events; and

(e) Is located in a city with a metropolitan form of government and a population of not less than five hundred thousand (500,000), according to the 2010 or any subsequent federal census; and

(ii) The premises of any facility licensed under this subdivision (27)() means any or all of the property that constitutes the facility. The licensee shall

designate the premises to be licensed by the commission by filing a drawing on the premises, which may be amended by the licensee filing a new drawing. The entire designated premises are covered under one (1) license issued under this subdivision (27)();

SECTION 9. Tennessee Code Annotated, Section 57-4-102(39), is amended by adding the following new subdivision:

(i) "Urban park center" also includes a facility possessing each of the following characteristics:

(a) Is owned, operated, or leased by a municipal or county government, or any agency or commission thereof;

(b) Has an outdoor fixed-structure stage utilized as a performance venue;

(c) Provides or leases facilities for concerts, plays, and programs of cultural, civic, and educational interest; and

(d) Is located in a municipality that has authorized the sale of alcoholic beverages for consumption on the premises, in a referendum in the manner prescribed by § 57-3-106, and that has a population of not less than four thousand fifty (4,050) and not more than four thousand fifty-nine (4,059), according to the 2010 federal census and any subsequent federal census; and

(ii) This subdivision (39)() only applies in a city with a population of not less than four thousand fifty (4,050) and not more than four thousand fifty-nine (4,059), according to the 2010 federal census and any subsequent federal census upon the adoption of an ordinance by a two-thirds (2/3) vote of its governing body;

SECTION 10. Tennessee Code Annotated, Section 57-4-102(27), is amended by adding the following new subdivision:

(i) A commercially operated facility that:

(a) Is an event and music venue that holds concerts and hosts a farmers market;

(b) Is located in a building built in the early 1900s by David Hugh Corlette;

(c) Contains a specialty grocery store and offers fresh food service, with seating for approximately eighteen (18) patrons;

(d) Began operating in August of 2018;

(e) Has approximately three thousand three hundred square feet (3,300') of commercial floor space;

(f) Sits adjacent to Horton Highway;

(g) Is within five hundred feet (500') of a community center and artsitorium; and

(h) Is located in a county with a population of not less than one hundred eighty-three thousand one hundred (183,100) and not more than one hundred eighty-three thousand two hundred (183,200), according to the 2010 and any subsequent federal census; and

(ii) The premises of a facility licensed under this subdivision (27)() means any or all of the property that constitutes the facility. A licensee shall designate the premises to be licensed by the commission by filing a drawing of the premises, which may be amended by the licensee filing a new drawing;

SECTION 11. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Finance, Ways, and Means Committee Amendment No. 1, as House Amendment No. 2, was adopted.

Rep. Keisling moved that State Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Sanderson moved that **Senate Bill No. 1417**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	72
Noes.....	19
Present and not voting.....	1

Representatives voting aye were: Baum, Beck, Boyd, Bricken, Calfee, Carr, Carter, Chism, Clemmons, Coley, Cooper, Curcio, Daniel, Dixie, Eldridge, Faison, Farmer, Freeman, Gant, Garrett, Griffey, Hakeem, Halford, Hall, Hardaway, Hawk, Hazlewood, Helton, Hicks, Hodges, Holsclaw, Hulsey, Jernigan, Johnson C, Johnson G, Keisling, Kumar, Lafferty, Lamar, Lamberth, Littleton, Marsh, Miller, Mitchell, Moon, Ogles, Potts, Powell, Powers, Ragan, Ramsey, Reedy, Rudder, Russell, Sanderson, Sexton C, Shaw, Smith, Staples, Stewart, Terry, Thompson, Tillis, Todd, Towns, Travis, Vaughan, Weaver, Whitson, Williams, Wright, Mr. Speaker Casada--72

Representatives voting no were: Byrd, Cepicky, Cochran, DeBerry, Doggett, Dunn, Haston, Hill M, Hill T, Holt, Howell, Leatherwood, Lynn, Sexton J, Sherrell, Van Huss, White, Windle, Zachary--19

Representatives present and not voting were: Sparks--1

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member desires to change their original stand from "aye" to "present and not voting" on **Senate Bill No. 1417** and have this statement entered in the Journal: Rep. Powers.

REGULAR CALENDAR, CONTINUED

House Bill No. 1066 -- Alcoholic Beverage Commission - As introduced, requires the commission to publish its annual report concerning statistical information provided by beer boards on its website instead of making copies of the report available to persons who submit a written request for the report. - Amends TCA Title 57. by *Sanderson. (*SB206 by *Yager)

On motion, House Bill No. 1066 was made to conform with **Senate Bill No. 206**; the Senate Bill was substituted for the House Bill.

Rep. Sanderson moved that Senate Bill No. 206 be passed on third and final consideration.

Rep. Keisling moved that State Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Lynn moved that Finance, Ways and Means Committee Amendment No. 1, as House Amendment No. 2, be withdrawn, which motion prevailed.

Rep. Sanderson moved that **Senate Bill No. 206** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	78
Noes.....	15
Present and not voting.....	2

Representatives voting aye were: Baum, Beck, Boyd, Bricken, Calfee, Carr, Carter, Chism, Clemmons, Cochran, Coley, Cooper, Crawford, Curcio, Daniel, Dixie, Eldridge, Faison, Farmer, Freeman, Gant, Garrett, Griffey, Hakeem, Halford, Hall, Hardaway, Hawk, Hazlewood, Helton, Hicks, Hodges, Holsclaw, Howell, Hulsey, Jernigan, Johnson C, Johnson G, Keisling, Kumar, Lafferty, Lamar, Lamberth, Littleton, Love, Lynn, Marsh, Miller, Mitchell, Moon, Ogles, Potts, Powell, Powers, Ragan, Ramsey, Reedy, Rudder, Russell, Sanderson, Sexton C, Shaw, Smith, Sparks, Staples, Stewart, Terry, Thompson, Tillis, Towns, Travis, Vaughan, Weaver, White, Whitson, Williams, Wright, Mr. Speaker Casada--78

Representatives voting no were: Byrd, Cepicky, DeBerry, Doggett, Dunn, Haston, Hill M, Hill T, Holt, Leatherwood, Sexton J, Sherrell, Van Huss, Windle, Zachary--15

Representatives present and not voting were: Rudd, Todd--2

1634

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A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member desires to change their original stand from "aye" to "present and not voting" on **Senate Bill No. 206** and have this statement entered in the Journal: Rep. Powers.

REGULAR CALENDAR, CONTINUED

House Bill No. 1324 -- Vocational Training and Rehabilitation - As introduced, removes the limit on the number of parents of an individual with a disability that may serve on the advisory board of a rehabilitation center. - Amends TCA Title 4; Title 41; Title 49; Title 50; Title 68 and Title 71. by *Sanderson, *Eldridge, *Hardaway, *Daniel, *Thompson. (*SB904 by *Southerland)

Rep. Sanderson moved that House Bill No. 1324 be passed on third and final consideration.

Rep. Keisling moved adoption of State Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 1324 by deleting all language after the enacting clause and substituting the following:

SECTION 1. Tennessee Code Annotated, Section 41-2-145, is amended by adding the following as a new, appropriately designated subsection:

() Notwithstanding any law to the contrary, a county sheriff may create an inmate reentry education program. The successful completion of a reentry education program may allow an inmate to qualify for an educational sentence reduction credit of sixty (60) days if the inmate successfully receives a high school equivalency credential, high school diploma, vocational education diploma, or other postsecondary or industry-recognized certification. No credit will be given for any credential, diploma, degree, or certification unless the course of study, including the institution or entity through which the credential, diploma, degree, or certification is offered, has received the prior approval of the department of correction.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, State Committee Amendment No. 1 was adopted.

MONDAY, APRIL 22, 2019 -- THIRTY-FIRST LEGISLATIVE DAY UNOFFICIAL VERSION

Rep. Sanderson moved that **House Bill No. 1324**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 95
Noes..... 0

Representatives voting aye were: Baum, Beck, Boyd, Bricken, Byrd, Calfee, Camper, Carr, Carter, Cepicky, Chism, Clemmons, Cochran, Coley, Cooper, Crawford, Curcio, Daniel, DeBerry, Dixie, Doggett, Dunn, Eldridge, Faison, Farmer, Freeman, Gant, Garrett, Griffey, Hakeem, Halford, Hall, Hardaway, Haston, Hawk, Hazlewood, Helton, Hicks, Hill M, Hill T, Hodges, Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson C, Johnson G, Keisling, Kumar, Lafferty, Lamar, Lamberth, Leatherwood, Littleton, Love, Lynn, Marsh, Miller, Mitchell, Moon, Ogles, Potts, Powell, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Sanderson, Sexton C, Sexton J, Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Terry, Thompson, Todd, Towns, Travis, Van Huss, Vaughan, Weaver, White, Whitson, Williams, Windle, Wright, Zachary, Mr. Speaker Casada--95

A motion to reconsider was tabled.

***House Bill No. 623** -- Pensions and Retirement Benefits - As introduced, enables a police officer who is a member of the state retirement system to be eligible for service retirement upon completion of 25 years of creditable service. - Amends TCA Title 8, Chapter 34; Title 8, Chapter 35; Title 8, Chapter 36 and Title 8, Chapter 37. by *Hulsey, *Holt, *Boyd, *Smith, *Van Huss, *Holsclaw, *Calfee, *Weaver, *Russell, *Ramsey, *Sparks, *Carr, *Keisling, *Hardaway, *Griffey, *Sherrell, *Reedy, *Williams, *Hicks, *Thompson, *Hall, *Garrett, *Love, *Helton, *Moon, *Powers, *Windle, *Lamberth, *Howell, *Rudd. (SB1237 by *Pody, *Briggs, *Crowe, *Niceley, *Rose, *White, *Haile, *Hensley, *Jackson, *Stevens, *Yager)

On motion, House Bill No. 623 was made to conform with **Senate Bill No. 1237**; the Senate Bill was substituted for the House Bill.

Rep. Hulsey moved that Senate Bill No. 1237 be passed on third and final consideration.

Rep. Lynn moved that Council on Pensions and Insurance Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Keisling moved adoption of State Committee Amendment No. 1, as House Amendment No. 2, as follows:

Amendment No. 2

AMEND Senate Bill No. 1237 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 8, Chapter 36, Part 3, is amended by adding the following as a new section:

(a) Notwithstanding this part or any law to the contrary, a police officer or firefighter who is a member of the retirement system, regardless of the police officer's or firefighter's participation in the legacy pension plan, the hybrid plan, or any other alternative plan, is eligible for early service retirement upon attainment of twenty-five (25) years of creditable service. The retirement allowance, as provided under this section, must be computed as the actuarial equivalent of the benefit that would have been payable under a service retirement allowance.

(b) No police officer or firefighter is required to retire pursuant to subsection (a). Subsection (a) applies only to police officers or firefighters who retire on or after the effective date of this act, and does not constitute a change in formula under § 8-36-702.

(c)

(1) A political subdivision employing a police officer or firefighter, who voluntarily chooses to retire pursuant to subsection (a), may require the police officer or firefighter to pay any insurance coverage otherwise provided to members who are one hundred percent (100%) vested in the service retirement benefit pursuant to § 8-36-201 from the time the police officer or firefighter voluntarily chooses to retire pursuant to subsection (a) until the date that the police officer or firefighter would have become one hundred percent (100%) vested in the service retirement benefit pursuant to § 8-36-201.

(2) A police officer or firefighter, who voluntarily chooses to retire pursuant to subsection (a), is entitled to any insurance coverage otherwise provided to members who are one hundred percent (100%) vested in the member's service retirement benefit pursuant to § 8-36-201 on the date that the police officer or firefighter would have become one hundred percent (100%) vested in the service retirement benefit pursuant to § 8-36-201.

(d) Subsection (c) does not apply to a municipality, as that term is defined in § 7-84-103, that is a member of the state retirement system and provides health insurance benefits in accordance with title 8, chapter 27, part 6.

(e) For purposes of this section, "police officer" means a sheriff, sheriff's deputy, or police officer employed by this state, a municipality, or political subdivision of this state whose primary responsibility is the prevention and detection of crime and apprehension of offenders.

SECTION 2. This act shall take effect January 1, 2020, the public welfare requiring it.

On motion, State Committee Amendment No. 1, as House Amendment No 2, was adopted.

Rep. Hulsey moved that **Senate Bill No. 1237**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

1637

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MONDAY, APRIL 22, 2019 -- THIRTY-FIRST LEGISLATIVE DAY UNOFFICIAL VERSION

Ayes 94
Noes..... 0

Representatives voting aye were: Baum, Beck, Boyd, Bricken, Byrd, Calfee, Carr, Carter, Cepicky, Chism, Clemmons, Cochran, Coley, Cooper, Crawford, Curcio, DeBerry, Dixie, Doggett, Dunn, Eldridge, Faison, Farmer, Freeman, Gant, Garrett, Griffey, Hakeem, Halford, Hall, Hardaway, Haston, Hawk, Hazlewood, Helton, Hicks, Hill M, Hill T, Hodges, Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson C, Johnson G, Keisling, Kumar, Lafferty, Lamar, Lamberth, Leatherwood, Littleton, Love, Lynn, Marsh, Mitchell, Moon, Ogles, Parkinson, Potts, Powell, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Sanderson, Sexton C, Sexton J, Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Terry, Thompson, Tillis, Todd, Towns, Travis, Van Huss, Vaughan, Weaver, White, Whitson, Williams, Windle, Wright, Zachary, Mr. Speaker Casada--94

A motion to reconsider was tabled.

***House Bill No. 197** -- Probation and Parole - As introduced, prevents an inmate convicted of a Class A, B, or C felony from using sentence reduction credits until the minimum release eligibility date applicable to the inmate is reached; establishes presumption that inmate convicted of Class E or Class D nonviolent felony is to be paroled upon reaching release eligibility date unless good cause is shown as to why inmate should not be released. - Amends TCA Title 40 and Title 41. by *Hulsey, *Smith, *Hill T, *Bricken, *Parkinson, *Keisling, *Doggett. (SB215 by *Lundberg)

Rep. Hulsey moved that **House Bill No. 197** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 87
Noes..... 3
Present and not voting..... 2

Representatives voting aye were: Baum, Beck, Boyd, Bricken, Byrd, Calfee, Camper, Carter, Cepicky, Chism, Clemmons, Cochran, Coley, Crawford, Curcio, Daniel, DeBerry, Doggett, Dunn, Faison, Farmer, Freeman, Gant, Garrett, Griffey, Hakeem, Halford, Hall, Hardaway, Haston, Hawk, Hazlewood, Helton, Hicks, Hill M, Hill T, Hodges, Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson C, Keisling, Kumar, Lafferty, Lamberth, Leatherwood, Littleton, Lynn, Marsh, Miller, Mitchell, Moon, Ogles, Parkinson, Potts, Powell, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Sanderson, Sexton J, Shaw, Sherrell, Smith, Sparks, Terry, Thompson, Tillis, Todd, Towns, Travis, Van Huss, Vaughan, Weaver, White, Whitson, Williams, Windle, Wright, Zachary, Mr. Speaker Casada--87

Representatives voting no were: Dixie, Lamar, Stewart--3

Representatives present and not voting were: Cooper, Johnson G--2

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

1638

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Pursuant to **Rule No. 31**, the following member desires to change their original stand from "not voting" to "aye" on **House Bill No. 197** and have this statement entered in the Journal: Rep. Staples.

REGULAR CALENDAR, CONTINUED

House Bill No. 1077 -- Election Laws - As introduced, requires the coordinator of elections to continue to study convenience voting in other states and periodically update the general assembly by January 31 every odd-numbered year. - Amends TCA Title 2, Chapter 3, Part 3. by *Rudd, *Lynn, *Boyd, *Cochran, *Russell, *Whitson, *Casada, *Smith, *White, *Carter, *Bricken. (*SB727 by *Reeves, *Johnson, *Pody, *Bell)

Rep. Rudd moved that House Bill No. 1077 be passed on third and final consideration.

Rep. Crawford moved adoption of Local Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 1077 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 2-3-302, is amended by adding the following as a new subsection:

(f) This part applies only in counties having a population of not less than forty-four thousand five hundred (44,500) nor more than forty-four thousand six hundred (44,600), in counties having a population of not less than one hundred thirteen thousand nine hundred (113,900) nor more than one hundred fourteen thousand (114,000), and in counties having a population of not less than one hundred eighty-three thousand one hundred (183,100) nor more than one hundred eighty-three thousand two hundred (183,200), according to the 2010 federal census or any subsequent federal census.

SECTION 2. Tennessee Code Annotated, Section 2-3-302, is further amended by deleting subsection (a) in its entirety, and substituting instead the following:

(a) After the required approval of the project plan for the convenient voting centers, the county election commission may create a program that establishes convenient voting centers within the county pursuant to § 2-3-303 for local elections conducted in 2019, and for federal, state, and local elections held in 2020.

SECTION 3. This act shall take effect on July 1, 2019, the public welfare requiring it.

On motion, Local Committee Amendment No. 1 was adopted.

Rep. Byrd moved the previous question, which motion prevailed.

Rep. Rudd moved that **House Bill No. 1077**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

1639

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MONDAY, APRIL 22, 2019 -- THIRTY-FIRST LEGISLATIVE DAY UNOFFICIAL VERSION

Ayes 85
Noes..... 9
Present and not voting..... 3

Representatives voting aye were: Baum, Beck, Boyd, Bricken, Byrd, Calfee, Carr, Carter, Cepicky, Cochran, Coley, Crawford, Curcio, Daniel, DeBerry, Doggett, Dunn, Eldridge, Faison, Farmer, Freeman, Gant, Garrett, Griffey, Hakeem, Halford, Hall, Hardaway, Haston, Hawk, Hazlewood, Helton, Hicks, Hill M, Hill T, Hodges, Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson C, Keisling, Kumar, Lafferty, Lamberth, Leatherwood, Littleton, Love, Lynn, Marsh, Miller, Moon, Ogles, Parkinson, Powell, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Sanderson, Sexton C, Sexton J, Shaw, Sherrell, Smith, Sparks, Staples, Terry, Tillis, Todd, Travis, Van Huss, Vaughan, Weaver, White, Whitson, Williams, Windle, Wright, Zachary, Mr. Speaker Casada--85

Representatives voting no were: Clemmons, Cooper, Dixie, Johnson G, Mitchell, Potts, Stewart, Thompson, Towns--9

Representatives present and not voting were: Camper, Chism, Lamar--3

A motion to reconsider was tabled.

***House Bill No. 238** -- Controlled Substances - As introduced, enacts the "Student Protection and Zone Equity Act." - Amends TCA Title 39, Chapter 17, Part 4 and Section 49-2-116. by *Cepicky, *Van Huss, *Whitson, *Hill T, *Hill M, *Ragan, *Moody, *Smith, *Zachary, *Rudder, *Griffey, *Doggett, *Hall, *Lamberth, *Cochran, *Todd, *Ogles, *Haston, *Helton. (SB328 by *Hensley, *Gilmore)

BILL HELD ON DESK

Rep. Cepicky moved that **House Bill No. 238** be held on the Clerk's desk, which motion prevailed.

REGULAR CALENDAR, CONTINUED

House Bill No. 1317 -- Hospitals and Health Care Facilities - As introduced, authorizes an existing licensed nursing home to relocate beds in certain circumstances. - Amends TCA Title 68, Chapter 11, Part 16. by *Wright, *Dunn, *Daniel, *Bricken. (*SB664 by *Massey)

Rep. Wright moved that House Bill No. 1317 be passed on third and final consideration.

Rep. Lynn moved adoption of Finance, Ways, and Means Committee Amendment No. 1 as follows:

Amendment No. 1

1640

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AMEND House Bill No. 1317 by deleting the language "Notwithstanding subsection (b)" in the amendatory language of Section 1 and substituting instead the language "Notwithstanding subsection (c)".

AND FURTHER AMEND by adding the following language as a new subsection (b) in the amendatory language of Section 1 and redesignating the existing subsections accordingly:

(b) Any beds relocated to a new location must initially have the same Medicaid certification status that the original, existing nursing home relocating its beds maintains when the certificate of need is granted allowing the movement of beds.

On motion, Finance, Ways, and Means Committee Amendment No. 1 was adopted.

Rep. Wright moved that **House Bill No. 1317**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 95
Noes..... 0

Representatives voting aye were: Baum, Beck, Bricken, Byrd, Calfee, Camper, Carr, Carter, Cepicky, Chism, Clemmons, Cochran, Coley, Cooper, Crawford, Curcio, Daniel, DeBerry, Dixie, Doggett, Dunn, Eldridge, Faison, Farmer, Freeman, Gant, Garrett, Griffey, Hakeem, Halford, Hardaway, Haston, Hawk, Hazlewood, Helton, Hicks, Hill M, Hill T, Hodges, Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson C, Johnson G, Keisling, Kumar, Lafferty, Lamar, Lamberth, Leatherwood, Littleton, Love, Lynn, Marsh, Miller, Mitchell, Moon, Ogles, Parkinson, Potts, Powell, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Sanderson, Sexton C, Sexton J, Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Terry, Thompson, Tillis, Todd, Towns, Travis, Van Huss, Vaughan, Weaver, White, Whitson, Williams, Windle, Wright, Zachary, Mr. Speaker Casada--95

A motion to reconsider was tabled.

***House Bill No. 676** -- Trusts - As introduced, enacts the "Tennessee Disclaimer of Property Interests Act." - Amends TCA Title 31; Title 34; Title 35 and Title 45. by *Garrett, *Lamberth, *Smith, *White. (SB699 by *Stevens)

Rep. Garrett moved that House Bill No. 676 be passed on third and final consideration.

Rep. Curcio moved adoption of Judiciary Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 676 by deleting all language after the enacting clause and substituting the following:

SECTION 1. Tennessee Code Annotated, Section 31-1-103, is amended by deleting the section in its entirety.

SECTION 2. Tennessee Code Annotated, Title 31, is amended by adding the following new chapter:

31-7-101. Short Title.

This chapter shall be known and may be cited as the "Tennessee Disclaimer of Property Interests Act."

31-7-102. Definitions.

As used in this chapter, unless the context otherwise requires:

(1) "Disclaimant" means the person to whom a disclaimed interest or power would have passed had the disclaimer not been made;

(2) "Disclaimed interest" means the interest that would have passed to the disclaimant had the disclaimer not been made;

(3) "Disclaimer" means the refusal to accept an interest in or power over property;

(4) "Fiduciary" means a personal representative, trustee, agent acting under a power of attorney, or other person authorized to act as a fiduciary with respect to the property of another person;

(5) "Jointly held property" means property held in the name of two (2) or more persons under an arrangement in which all holders have concurrent interests and under which the last surviving holder is entitled to the whole of the property;

(6) "Person" means an individual; fiduciary; corporation; business trust; estate; trust; partnership; limited liability company; association; joint venture; government, governmental subdivision, agency, or instrumentality; public corporation; or any other legal or commercial entity;

(7) "State" means a state of the United States, the District of Columbia, Puerto Rico, the United States Virgin Islands, or any territory or insular possession subject to the jurisdiction of the United States. "State" includes an Indian tribe or band, or Alaskan native village, recognized by federal law or formally acknowledged by a state; and

(8) "Trust" means:

(A) An express trust, charitable or noncharitable, with additions thereto, whenever and however created; and

(B) A trust created pursuant to a statute, judgment, or decree that requires the trust to be administered in the manner of an express trust.

31-7-103. Scope.

This chapter applies to disclaimers of any interest in or power over property, whenever created.

31-7-104. Disclaimer Act supplement by other law.

(a) Unless displaced by this chapter, the principles of law and equity supplement this chapter.

(b) This chapter does not limit any right of a person to waive, release, disclaim, or renounce an interest in or power over property under a law other than this chapter.

31-7-105. Power to disclaim; general requirements; when irrevocable.

(a) A person may disclaim, in whole or part, any interest in or power over property, including a power of appointment. A person may disclaim the interest or power even if its creator imposed a spendthrift provision or similar restriction on transfer or a restriction or limitation on the right to disclaim.

(b) Except to the extent a fiduciary's right to disclaim is expressly restricted or limited by state law or by the instrument creating the fiduciary relationship, a fiduciary may disclaim, in whole or part, any interest in or power over property, including a power of appointment, whether acting in a personal or representative capacity. A fiduciary may disclaim the interest or power even if its creator imposed a spendthrift provision or similar restriction on transfer or a restriction or limitation on the right to disclaim, or an instrument other than the instrument that created the fiduciary relationship imposed a restriction or limitation on the right to disclaim.

(c) To be effective, the disclaimer must:

- (1) Be in writing;
- (2) Declare the disclaimer, and the extent thereof;
- (3) Describe the interest or power disclaimed; and
- (4) Be signed either by:

(A) The person making the disclaimer; or

(B) Some person subscribing the name of the person making the disclaimer, in the person's presence and by such person's express direction in the presence of two (2) or more witnesses competent to witness a will under title 32.

(d) A partial disclaimer may be expressed as a fraction, percentage, monetary amount, term of years, limitation of a power, or any other interest or estate in the property.

(e) A disclaimer becomes irrevocable when it is delivered or filed pursuant to § 31-7-112 or when it becomes effective as provided in §§ 31-7-106 - 31-7-111, whichever occurs later.

(f) A disclaimer made under this chapter is not a transfer, assignment, or release.

31-7-106. Disclaimer of interests in property.

(a) As used in this section:

(1) "Future interest" means an interest that takes effect in possession or enjoyment, if at all, later than the time of its creation; and

(2) "Time of distribution" means the time when a disclaimed interest would have taken effect in possession or enjoyment.

(b) Except for a disclaimer governed by § 31-7-107 or § 31-7-108, the following rules apply to a disclaimer of an interest in property:

(1) The disclaimer takes effect as of the time the instrument creating the interest becomes irrevocable, or, if the interest arose under the law of intestate succession, as of the time of the intestate's death;

(2) The disclaimed interest passes according to any provision in the instrument creating the interest providing for the disposition of the interest, should it be disclaimed, or of disclaimed interests in general;

(3) If the instrument does not contain a provision described in subdivision (b)(2), the following rules apply:

(A) If the disclaimant is not an individual, the disclaimed interest passes as if the disclaimant did not exist;

(B) If the disclaimant is an individual, except as otherwise provided in subdivisions (3)(C) and (3)(D), the disclaimed interest

passes as if the disclaimant had died immediately before the time of distribution;

(C) If by law or under the instrument, the descendants of the disclaimant would share in the disclaimed interest by any method of representation had the disclaimant died immediately before the time of distribution, the disclaimed interest passes only to the descendants of the disclaimant who survive the time of distribution; and

(D) If the disclaimed interest would pass to the disclaimant's estate had the disclaimant died before the time of distribution, the disclaimed interest instead passes per stirpes to the descendants of the disclaimant who survive the time of distribution. If no descendant of the disclaimant survives the time of distribution, the disclaimed interest passes to those persons, including the state but excluding the disclaimant, and in such shares as would succeed to the transferor's intestate estate under the intestate succession law of the transferor's domicile had the transferor died at the time of distribution; and

(4) Upon the disclaimer of a preceding interest, a future interest held by a person other than the disclaimant takes effect as if the disclaimant had died or ceased to exist immediately before the time of distribution, but a future interest held by the disclaimant is not accelerated in possession or enjoyment.

31-7-107. Disclaimer of rights of survivorship in jointly held property.

(a) Upon the death of a holder of jointly held property, a surviving holder may disclaim, in whole or part, the greater of:

(1) A fractional share of the property determined by dividing the number one (1) by the number of joint holders alive immediately before the death of the holder to whose death the disclaimer relates; or

(2) All of the property except that part of the value of the entire interest attributable to the contribution furnished by the disclaimant.

(b) A disclaimer under subsection (a) takes effect as of the death of the holder of jointly held property to whose death the disclaimer relates.

(c) An interest in jointly held property disclaimed by a surviving holder of the property passes as if the disclaimant predeceased the holder to whose death the disclaimer relates.

31-7-108. Disclaimer of interest by trustee.

If a trustee disclaims an interest in property that otherwise would have become trust property, the interest does not become trust property.

31-7-109. Disclaimer of power of appointment not held in a fiduciary capacity or other power not held in a fiduciary capacity.

If a holder disclaims a power of appointment not held in a fiduciary capacity or other power not held in a fiduciary capacity, the following rules apply:

(1) If the holder has not exercised the power, the disclaimer takes effect as of the time the instrument creating the power becomes irrevocable;

(2) If the holder has exercised the power and the disclaimer is of a power other than a presently exercisable general power of appointment, the disclaimer takes effect immediately after the last exercise of the power; and

(3) The instrument creating the power is construed as if the power expired when the disclaimer became effective.

31-7-110. Disclaimer by appointee, object, or taker in default of exercise of power of appointment.

(a) A disclaimer of an interest in property by an appointee of a power of appointment takes effect as of the time the instrument by which the holder exercises the power becomes irrevocable.

(b) A disclaimer of an interest in property by a permissible appointee or taker in default of an exercise of a power of appointment takes effect as of the time the instrument creating the power becomes irrevocable.

31-7-111. Disclaimer of power held in fiduciary capacity.

(a) If a fiduciary disclaims a power held in a fiduciary capacity which has not been exercised, the disclaimer takes effect as of the time the instrument creating the power becomes irrevocable.

(b) If a fiduciary disclaims a power held in a fiduciary capacity which has been exercised, the disclaimer takes effect immediately after the last exercise of the power.

(c) A disclaimer under this section is effective as to another fiduciary if the disclaimer so provides and the fiduciary disclaiming has the authority to bind the estate, trust, or other person for whom the fiduciary is acting.

31-7-112. Delivery or filing.

(a) As used in this section, "beneficiary designation" means an instrument, other than an instrument creating a trust, naming the beneficiary of:

- (1) An annuity or insurance policy;
- (2) An account with a designation for payment on death;
- (3) A security registered in beneficiary form;
- (4) A pension, profit-sharing, retirement, or other employment-related benefit plan; or
- (5) Any other nonprobate transfer at death.

(b) Subject to subdivision (c)(1), delivery of a disclaimer may be affected by personal delivery, first-class mail, or any other method likely to result in its receipt.

(c) In the case of an interest created under the law of intestate succession or an interest created by will, other than an interest in a testamentary trust:

- (1) A disclaimer must be delivered to the personal representative of the decedent's estate; or
- (2) If no personal representative is then serving, the disclaimer must be filed with a court having jurisdiction to appoint the personal representative.

(d) In the case of an interest in a testamentary trust:

- (1) A disclaimer must be delivered to the trustee then serving;
- (2) If no trustee is then serving, the disclaimer must be delivered to the personal representative of the decedent's estate; or
- (3) If no trustee is then serving and no personal representative is then serving, the disclaimer must be filed with a court having jurisdiction to enforce the trust.

(e) In the case of an interest in an inter vivos trust:

- (1) A disclaimer must be delivered to the trustee then serving;
- (2) If no trustee is then serving, the disclaimer must be filed with a court having jurisdiction to enforce the trust; or

(3) If the disclaimer is made before the time the instrument creating the trust becomes irrevocable, the disclaimer must be delivered to the settlor of a revocable trust or the transferor of the interest.

(f) In the case of an interest created by a beneficiary designation that is disclaimed before the designation becomes irrevocable, the disclaimer must be delivered to the person making the beneficiary designation.

(g) In the case of an interest created by a beneficiary designation which is disclaimed after the designation becomes irrevocable:

(1) The disclaimer of an interest in personal property must be delivered to the person obligated to distribute the interest; and

(2) The disclaimer of an interest in real property must be recorded in the office of the county register's office of the county where the real property that is the subject of the disclaimer is located.

(h) In the case of a disclaimer by a surviving holder of jointly held property, the disclaimer must be delivered to the person to whom the disclaimed interest passes.

(i) In the case of a disclaimer by an object or taker in default of exercise of a power of appointment at any time after the power was created, the disclaimer must be delivered to:

(A) The holder of the power; and

(B) The fiduciary acting under the instrument that created the power; provided, however, if no fiduciary is then serving, the disclaimer must be filed with a court having authority to appoint the fiduciary.

(j) In the case of a disclaimer by an appointee of a nonfiduciary power of appointment, the disclaimer must be delivered to:

(A) The holder or personal representative of the holder's estate; and

(B) The fiduciary under the instrument that created the power; provided, however, that if no fiduciary is then serving, the disclaimer must be filed with a court having authority to appoint the fiduciary.

(k) In the case of a disclaimer by a fiduciary of a power over a trust or estate, the disclaimer must be delivered as provided in subsection (c), (d), or (e), as if the power disclaimed were an interest in property.

(l) In the case of a disclaimer of a power by an agent, the disclaimer must be delivered to the principal or the principal's representative.

31-7-113. When disclaimer barred or limited.

- (a) A disclaimer is barred by a written waiver of the right to disclaim.
- (b) A disclaimer of an interest in property is barred if any of the following events occur before the disclaimer becomes effective:
 - (1) The disclaimant accepts the interest sought to be disclaimed;
 - (2) The disclaimant voluntarily assigns, conveys, encumbers, pledges, or transfers the interest sought to be disclaimed or contracts to do so; or
 - (3) A judicial sale of the interest sought to be disclaimed occurs.
- (c) A disclaimer, in whole or part, of the future exercise of a power held in a fiduciary capacity is not barred by its previous exercise.
- (d) Unless the power is exercisable in favor of the disclaimant, a disclaimer, in whole or part, of the future exercise of a power not held in a fiduciary capacity is not barred by its previous exercise.
- (e) A disclaimer is barred or limited if so provided by law other than this chapter.
- (f) A disclaimer of a power over property which is barred by this section is ineffective. A disclaimer of an interest in property which is barred by this section takes effect as a transfer of the interest disclaimed to the persons who would have taken the interest under this chapter had the disclaimer not been barred.

31-7-114. Tax qualified customer.

- (a) Notwithstanding this chapter, if as a result of a disclaimer or transfer the disclaimed or transferred interest is treated pursuant to title 26 of the United States code, as now or hereafter amended, or any successor statute thereto, and the regulations promulgated thereunder, as never having been transferred to the disclaimant, then the disclaimer or transfer is effective as a disclaimer under this chapter.
- (b) Tax qualified disclaimers must comply with the rules set forth in 26 U.S.C. § 2518, as now or hereafter amended, or any successor statute thereto, and the regulations promulgated thereunder, including the nine-month time limitation set forth under 26 U.S.C. § 2518(b)(2).

31-7-115. Recording of disclaimer.

If an instrument transferring an interest in or power over property subject to a disclaimer is required or permitted by law to be filed, recorded, or registered,

the disclaimer may be so filed, recorded, or registered. Except as otherwise provided in § 31-7-112(g)(2), failure to file, record, or register the disclaimer does not affect its validity as between the disclaimant and persons to whom the property interest or power passes by reason of the disclaimer.

31-7-116. Application to existing relationships.

Except as otherwise provided in § 31-7-113, an interest in or power over property existing on the effective date of this chapter as to which the time for delivering or filing a disclaimer under law superseded by this chapter has not expired may be disclaimed after the effective date of this chapter.

31-7-117. Severability clause.

If any provision of this chapter or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this chapter which can be given effect without the invalid provision or application, and to that end the provisions of this chapter are declared to be severable.

SECTION 3. Tennessee Code Annotated, Section 34-1-101(7), is amended by deleting the subdivision in its entirety and substituting the following:

"Fiduciary" means a guardian, coguardian, conservator, co-conservator, or qualified trustee as defined in § 35-16-102(12)(A);

SECTION 4. Tennessee Code Annotated, Section 34-1-104(a), is amended by deleting the language "subsections (b) and (c)" and substituting instead "subsections (b)-(d)".

SECTION 5. Tennessee Code Annotated, Section 34-1-104, is amended by adding the following language as a new subsection:

(d) In a proceeding to determine letters of guardianship or conservatorship, the court shall be vested with the authority to direct any fund or part of the fund decreed to belong to a minor or person with a disability, or in which there is recovery in favor of a minor or person with a disability, into a trust created under the Tennessee Uniform Trust Code, compiled in title 35, chapter 15 with such fiduciary appointed upon order of the court according to this chapter.

SECTION 6. Tennessee Code Annotated, Section 34-1-115(a), is amended by deleting the first sentence in the subsection and substituting the following:

A fiduciary is limited in its investments to the investments permitted by title 35, chapter 3 unless estate funds or property, or both, are transferred to a trust created pursuant to the Tennessee Uniform Trust Code, compiled in title 35, chapter 15.

SECTION 7. Tennessee Code Annotated, Section 34-1-115, is amended by adding the following as a new subsection:

() If funds are transferred to a trust as referenced in § 34-1-115(a), the fiduciary and trust protector are relieved of requirements under title 34 where trust assets, investments, and their financial nature require public disclosure or filing upon public record. A certification of trust outlined under § 35-15-1013 may be filed with the clerk of the court to show such trust is created. Such trust must be governed and administered by a qualified trustee as permitted by title 35. Further, the court clerk with personal jurisdiction over the person with a disability or minor must be named trust protector of said trust with powers prescribed by §§ 35-15-1201 - 35-15-1206.

SECTION 8. Tennessee Code Annotated, Section 35-15-110, is amended by deleting the section and substituting the following:

(a) A charitable organization expressly designated to receive distributions under the terms of a charitable trust has the rights of a qualified beneficiary under this chapter, if the charitable organization, on the date the charitable organization's qualification is being determined, would be a qualified beneficiary under this chapter if such charitable organization were an individual beneficiary.

(b) The attorney general and reporter has the rights of a qualified beneficiary with respect to a charitable trust having its principal place of administration in this state if all of the interests in the trust that are for a charitable purpose, in the aggregate, on the date the attorney general and reporter's qualification is being determined, would cause an individual beneficiary to be a qualified beneficiary under this chapter if all of such interests were for the benefit of an individual beneficiary instead of for charitable purposes.

SECTION 9. Tennessee Code Annotated, Title 35, Chapter 15, Part 2, is amended by adding the following language as a new, appropriately designated section:

(a) If the trustee resigns, is removed, or upon the full or partial termination of the trust, a qualified beneficiary or successor trustee may petition the court to require the trustee transferring or distributing the trust to appear before the court for a final accounting. However, a successor trustee shall not have any obligation to petition the court to require the final accounting. The trustee transferring or distributing the trust may also petition the court to approve a final accounting relieving the trustee from liability for the period of its administration. The final accounting period shall begin from the latest of:

(1) The date of acceptance of the trusteeship by the trustee; or

(2) The end of the period since an accounting was last approved by the court.

(b) The petition shall set forth:

- (1) The name and address of the trustee;
- (2) The qualified beneficiaries of the trust; and
- (3) The period that the accounting covers.

(c) The petition shall be served on each qualified beneficiary or their representative under part 3 of this chapter to the extent there is no material conflict of interest or on the trustee.

(d) Upon review of the trustee's final accounting and after considering any objections thereto and any evidence presented, the court may approve the final accounting or enter judgment granting appropriate relief. If no objection to the petition is filed within the time allowed by law after service, or if the parties consent, the petition may be approved without notice, hearing, or further proceedings. The final judgment of the court shall be binding on all parties.

(e) Upon approval of the petition, the trustee shall be relieved from liability for the period covered by the final accounting.

(f) Costs and expenses, including reasonable attorney's fees of the trustee, shall be taxed against the trust, unless otherwise directed by the court.

SECTION 10. Tennessee Code Annotated, Section 35-15-707, is amended by adding the following language as a new, appropriately designated subsection:

Prior to delivering the trust property within the trustee's possession to the co-trustee, successor trustee, or other person entitled to it, a trustee who has resigned or been removed shall have the right and authority to petition the court for approval of its accountings and a release and discharge from all liability related to such trust as allowed under Section 9.

SECTION 11. Tennessee Code Annotated, Section 35-15-817, is amended by deleting subsection (c) and substituting instead the following:

Notwithstanding subsections (a) and (b), any qualified beneficiary or trustee may petition the court for a final accounting covering a resigning or removed trustee's period of administration or the period since an accounting was last approved by the court as allowed under Section 9.

SECTION 12. Tennessee Code Annotated, Section 35-15-1005, is amended by adding the following language as a new subsection:

(e) Notwithstanding subsections (a)-(c), no beneficiary, trustee, trust advisor, or trust protector may commence a proceeding against a trustee or former trustee for any matter covered by a final accounting approved by the court under Section 9.

SECTION 13. Tennessee Code Annotated, Section 35-15-302, is amended by deleting the section and substituting instead the following:

(a)

(1) To the extent there is no material conflict of interest between the holder of a power of appointment and the persons represented with respect to the particular question or dispute, the holder may represent and bind persons whose interests, as permissible appointees, takers in default, or otherwise, are subject to the power. Notwithstanding this section to the contrary, the holder of any general power of appointment may, regardless of whether there is a material conflict of interest between the holder of such general power of appointment and the persons represented with respect to the particular question or dispute, represent and bind persons whose interests, as permissible appointees, takers in default, or otherwise, are subject to such power.

(2) As used in this section, "general power of appointment" means a power, regardless of when exercisable, to appoint in favor of any one (1) or more of the following: such power holder, such power holder's creditors, such power holder's estate, and the creditors of the estate of such power holder.

(b) Notwithstanding subsection (a) to the contrary, if the holder, under the terms of the governing instrument, may only exercise such general power of appointment with the consent of another person, then the written consent of such other person is required in order for the holder of the general power of appointment to represent and bind persons whose interests, as permissible appointees, takers in default, or otherwise, are subject to the power.

SECTION 14. Tennessee Code Annotated, Section 35-15-411, is amended by deleting the section and substituting instead the following:

(a) During the settlor's lifetime, a noncharitable irrevocable trust may be modified or terminated by the trustee upon consent of all qualified beneficiaries, even if the modification or termination is inconsistent with a material purpose of the trust if the settlor does not object to the proposed modification or termination. The trustee shall notify the settlor of the proposed modification or termination not less than sixty (60) days before initiating the modification or termination. The notice of modification or termination must include:

(1) An explanation of the reasons for the proposed modification or termination;

(2) The date on which the proposed modification or termination is anticipated to occur; and

(3) The date, not less than sixty (60) days after the giving of the notice, by which the settlor must notify the trustee of an objection to the proposed modification or termination.

(b) Following the settlor's death, a noncharitable irrevocable trust may be terminated upon consent of all of the qualified beneficiaries if the court concludes that continuance of the trust is not necessary to achieve any material purpose of the trust.

(c) Following the settlor's death, a noncharitable irrevocable trust may be modified upon the unanimous agreement of the trustee and all qualified beneficiaries as provided under § 35-15-111 if such modification does not violate a material purpose of the trust. Additionally, a noncharitable irrevocable trust may be modified upon consent of all of the qualified beneficiaries if the court concludes that modification is not inconsistent with a material purpose of the trust.

(d) Modification of a trust as authorized in this section is not prohibited by a spendthrift clause or by a provision in the trust instrument that prohibits amendment or revocation of the trust.

(e) An agreement to modify a trust as authorized by this section is binding on a beneficiary whose interest is represented by another person under part 3 of this chapter.

(f) Upon termination of a trust under subsection (a) or (b), the trustee shall distribute the trust property as agreed by the qualified beneficiaries.

(g) If not all of the qualified beneficiaries consent to a proposed modification or termination of the trust under subsection (a), (b), or (c), as applicable, the modification or termination may be approved by the court if the court is satisfied that:

(1) If all of the qualified beneficiaries had consented, the trust could have been modified or terminated under this section; and

(2) The interests of a qualified beneficiary who does not consent will be adequately protected.

(h) As used in this section, "noncharitable irrevocable trust" refers to a trust that is not revocable by the settlor with respect to which:

(1) No federal or state income, gift, estate, or inheritance tax charitable deduction was allowed upon transfers to the trust; and

(2) The value of all interests in the trust owned by charitable organizations does not exceed five percent (5%) of the value of the trust.

(i) Notwithstanding subsection (a), (b), or (c), the trustee may seek court approval of a modification or termination.

SECTION 15. Tennessee Code Annotated, Section 35-15-414, is amended by deleting subsection (a) and substituting instead the following:

(a) After notice to the qualified beneficiaries, the trustee of a trust consisting of trust property having either a total value less than one hundred thousand dollars (\$100,000) or for which the trustee's annual fee for administering the trust, as set forth in the trustee's published fee schedule, is five percent (5%) or more of the market value of the principal assets of the trust as of the last day of the preceding trust accounting year or the present market value of the principal assets of the trust if there is no applicable trust accounting for a preceding year may terminate the trust if the trustee concludes that the value of the trust property is insufficient to justify the cost of administration.

SECTION 16. Tennessee Code Annotated, Section 35-15-505(g), is amended by deleting the language "(g)(2)(C)" wherever it appears and substituting instead the language "(g)(2)(B)".

SECTION 17. Tennessee Code Annotated, Title 35, Chapter 15, is amended by adding the following as a new part:

35-15-1301.

(a) As used in this part:

(1) "Corporate trustee" means a Tennessee trust company, a Tennessee bank with trust powers, or a national bank with trust powers and with a physical presence in Tennessee;

(2) "Department" means the department of financial institutions;

(3) "Designated ancestor" means one (1) or more ancestors of the family designated as such in the entity's governing documents. A designated ancestor may be either living or deceased. If two (2) designated ancestors are designated, they must be or have been spouses to each other, and if more than such first two (2) designated ancestors are designated, each such additional designated ancestor must be or have been a spouse of either of the first two (2) designated ancestors;

(4) "Entity" means a corporation or a limited liability company;

(5)

(A) "Family member" means a designated ancestor and:

(i) An individual within the twelfth degree of lineal kinship of a designated ancestor;

(ii) An individual within the eleventh degree of collateral kinship of a designated ancestor;

(iii) A spouse or former spouse of a designated ancestor or of an individual defined as a family member in subdivision (a)(5)(A) or (B); and

(iv) An individual who is a relative of a spouse or former spouse specified in subdivision (a)(5)(C) who is within the fifth degree of lineal or collateral kinship of the spouse or former spouse.

(B) For purposes of determining whether a person is a family member as defined in this subdivision (a)(5):

(i) A legally adopted person shall be treated as a natural child of the adoptive parents;

(ii) A stepchild shall be treated as a natural child of the individual who is or was the stepparent of that child;

(iii) A foster child, or an individual who was a minor when an adult became the individual's legal guardian, shall be treated as a natural child of the adult appointed as foster parent or guardian;

(iv) A child of a spouse or former spouse of an individual shall be treated as a natural child of that individual;

(v) Degrees are calculated by adding the number of steps from a relevant designated ancestor through each individual to the family member either directly, in case of lineal kinship, or through a designated ancestor, in the case of collateral kinship; and

(vi) A person who was a family member at the time of the special purpose entity's engagement as trust protector or trust advisor shall not cease to be a family member solely due to a death, divorce, or other similar event; and

(6) "Special purpose entity" means an entity that meets the requirements provided under subsection (b).

(b) A special purpose entity shall not be subject to chapters 1 and 2 of title 45 regulating fiduciary activity if:

(1) The entity is established for the exclusive purpose of acting as a trust protector or trust advisor as defined by § 35-15-1201, or any combination of such purposes;

(2) The entity is acting in such capacity solely under the terms of trusts in which the grantor or beneficiary is a family member, and under which a corporate trustee is serving as trustee;

(3) The entity is not engaged in trust company business as a private trust company under title 45, chapter 2, part 20, or with the general public as a public trust company;

(4) The entity does not hold itself out as being in the business of acting as a fiduciary for hire as either a public or private trust company;

(5) The entity files an annual report with the secretary of state and provides a copy to the department;

(6) The entity agrees to be subject to examination by the department at the discretion of the department solely for the purpose of determining whether the entity satisfies all requirements for qualification under this part;

(7) The entity agrees to pay the department the actual expenses of the examination at the time of the examination described in subdivision (b)(6);

(8) The entity does not use the word "trust" or "trustee" in the entity's name in any manner;

(9) The governing documents of the entity, as such governing documents may be amended from time to time, limit the entity's authorized activities to the functions permitted to a trust protector or trust advisor, or any combination of such functions, and limit the performance of those functions with respect to trusts in which a grantor or beneficiary of such trust is a family member with respect to a designated ancestor specifically named in the entity's governing documents;

(10) The entity does not act as a fiduciary other than as provided in this part;

(11) Within thirty (30) days of beginning operations as a trust protector or trust advisor, or any combination thereof, the entity notifies the department of:

(A) Its existence;

(B) Its capacity to act;

(C) The name of the corporate trustee for each separate trust for which such entity is engaged as a trust protector or trust advisor; and

(D) Pays a one-time initial fee of one thousand dollars (\$1,000); and

(12) The entity submits annually to the department, no later than April 15 and no earlier than January 1:

(A) An annual fee of one thousand dollars (\$1,000);

(B) An updated list of the name of the corporate trustee for each separate trust for which such entity is engaged as a trust protector or trust advisor; and

(C) A certification to the department in which:

(i) The corporate trustee certifies that it is the corporate trustee of the applicable trust; and

(ii) The entity certifies that it is acting as a trust protector or trust advisor for the applicable trust, and that such entity's actions are in compliance with this part.

SECTION 18. Tennessee Code Annotated, Section 45-10-103(8)(C), is amended by deleting the language "45-10-115" and substituting instead the language "45-10-119".

SECTION 19. The headings to sections, chapters, and parts in this act are for reference purposes only and do not constitute a part of the law enacted by this act. However, the Tennessee code commission is requested to include the headings in any compilation or publication containing this act.

SECTION 20. The act shall take effect upon becoming law, the public welfare requiring it.

On motion, Judiciary Committee Amendment No. 1 was adopted.

Rep. Lynn moved adoption of Finance, Ways, and Means Committee Amendment No. 1, as House Amendment No. 2, as follows:

Amendment No. 2

1658

This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

MONDAY, APRIL 22, 2019 -- THIRTY-FIRST LEGISLATIVE DAY UNOFFICIAL VERSION

AMEND House Bill No. 676 by deleting section 31-7-105(f) in the amendatory language of Section 2.

On motion, Finance, Ways, and Means Committee Amendment No. 1, as House Amendment No. 2, was adopted.

Rep. Garrett moved that **House Bill No. 676**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	96
Noes	0

Representatives voting aye were: Baum, Beck, Boyd, Bricken, Byrd, Calfee, Camper, Carr, Carter, Cepicky, Chism, Clemmons, Cochran, Coley, Cooper, Crawford, Curcio, Daniel, DeBerry, Dixie, Doggett, Dunn, Eldridge, Faison, Farmer, Freeman, Gant, Garrett, Griffey, Hakeem, Halford, Hall, Hardaway, Haston, Hawk, Hazlewood, Helton, Hicks, Hill M, Hill T, Hodges, Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson C, Johnson G, Keisling, Kumar, Lafferty, Lamar, Lamberth, Leatherwood, Littleton, Love, Lynn, Marsh, Miller, Mitchell, Moon, Ogles, Parkinson, Potts, Powell, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Sanderson, Sexton C, Sexton J, Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Terry, Thompson, Tillis, Todd, Travis, Van Huss, Vaughan, Weaver, White, Whitson, Williams, Windle, Wright, Zachary, Mr. Speaker Casada--96

A motion to reconsider was tabled.

***House Bill No. 1515** -- Taxes, Hotel Motel - As introduced, authorizes the City of White Pine to levy a privilege tax of up to 5 percent upon the privilege of occupancy by a two-thirds vote of its governing body. - Amends TCA Section 67-4-1425. by *Faison, *Hicks. (SB1523 by *Niceley)

Rep. Faison moved that House Bill No. 1515 be passed on third and final consideration.

Rep. Crawford moved adoption of Local Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 1515 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 67-4-1425, is amended by adding the following as a new subsection:

() This section shall not apply in any city having a population of not less than two thousand one hundred ninety (2,190) nor more than two thousand one hundred ninety-nine (2,199) that is located inside a county having a population of not less than fifty-one thousand four hundred (51,400) nor more than fifty-one thousand five hundred (51,500), according to the 2010 federal census or any subsequent federal census; provided, that the city is authorized to levy a privilege

1659

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tax by ordinance adopted by a two-thirds (2/3) vote of its governing body upon the privilege of occupancy in any hotel located within the city of each transient in an amount not to exceed three and one-half percent (3.5%) of the consideration charged by the operator. All proceeds received by the city from the tax shall be used solely to promote tourism and economic development in the city and for no other purpose. The ordinance shall set forth the manner of collection and administration of the privilege tax.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Local Committee Amendment No. 1 was adopted.

Rep. Faison moved that **House Bill No. 1515**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	88
Noes.....	4
Present and not voting.....	2

Representatives voting aye were: Baum, Beck, Boyd, Bricken, Byrd, Calfee, Camper, Carr, Carter, Cepicky, Chism, Clemmons, Cochran, Coley, Cooper, Crawford, Curcio, Daniel, DeBerry, Dixie, Dunn, Eldridge, Faison, Farmer, Freeman, Garrett, Griffey, Hakeem, Halford, Hall, Hardaway, Haston, Hawk, Hazlewood, Helton, Hicks, Hill M, Hill T, Hodges, Holsclaw, Howell, Hulsey, Jernigan, Johnson C, Johnson G, Keisling, Kumar, Lafferty, Lamar, Lamberth, Leatherwood, Littleton, Love, Lynn, Marsh, Miller, Mitchell, Moon, Ogles, Parkinson, Potts, Powell, Powers, Ragan, Ramsey, Reedy, Rudder, Russell, Sexton C, Shaw, Sherrell, Smith, Stewart, Thompson, Tillis, Todd, Towns, Travis, Van Huss, Vaughan, Weaver, White, Whitson, Williams, Windle, Wright, Zachary, Mr. Speaker Casada--88

Representatives voting no were: Doggett, Sanderson, Sexton J, Sparks--4

Representatives present and not voting were: Rudd, Terry--2

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member desires to change their original stand from "present and not voting" to "not voting" on **House Bill No. 1515** and have this statement entered in the Journal: Rep. Terry.

REGULAR CALENDAR, CONTINUED

House Bill No. 715 -- Bail, Bail Bonds - As introduced, removes certain circumstances in which a citation in lieu of arrest shall not be issued; makes various other changes and corrections. - Amends TCA Title 40, Chapter 11 and Title 40, Chapter 7. by *Faison, *DeBerry, *Hicks, *Dixie, *Hardaway. (*SB587 by *Lundberg, *Akbari, *Gilmore, *Jackson)

MONDAY, APRIL 22, 2019 -- THIRTY-FIRST LEGISLATIVE DAY UNOFFICIAL VERSION

On motion, House Bill No. 715 was made to conform with **Senate Bill No. 587**; the Senate Bill was substituted for the House Bill.

Rep. Faison moved that Senate Bill No. 587 be passed on third and final consideration.

Rep. Curcio moved that Judiciary Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Faison moved that **Senate Bill No. 587** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	90
Noes.....	3
Present and not voting.....	1

Representatives voting aye were: Baum, Beck, Boyd, Bricken, Byrd, Calfee, Camper, Carr, Carter, Cepicky, Chism, Clemmons, Cochran, Coley, Crawford, Curcio, Daniel, DeBerry, Dixie, Dunn, Eldridge, Faison, Farmer, Freeman, Gant, Garrett, Hakeem, Halford, Hall, Hardaway, Haston, Hawk, Hazlewood, Helton, Hicks, Hill M, Hill T, Hodges, Holsclaw, Howell, Jernigan, Johnson C, Johnson G, Keisling, Kumar, Lafferty, Lamar, Lamberth, Leatherwood, Littleton, Lynn, Marsh, Miller, Mitchell, Moon, Ogles, Parkinson, Potts, Powell, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Sanderson, Sexton C, Sexton J, Shaw, Sherrell, Smith, Sparks, Stewart, Terry, Thompson, Tillis, Todd, Towns, Travis, Van Huss, Vaughan, Weaver, White, Whitson, Williams, Windle, Wright, Zachary, Mr. Speaker Casada--90

Representatives voting no were: Doggett, Griffey, Hulse--3

Representatives present and not voting were: Cooper--1

A motion to reconsider was tabled.

***House Bill No. 864** -- Remedies and Special Proceedings - As introduced, defines a guardian for purposes of criminal injuries compensation. - Amends TCA Title 29, Chapter 13. by *DeBerry, *Lamberth. (SB1324 by *Bowling)

On motion, House Bill No. 864 was made to conform with **Senate Bill No. 1324**; the Senate Bill was substituted for the House Bill.

Rep. DeBerry moved that Senate Bill No. 1324 be passed on third and final consideration.

Rep. Curcio moved that Judiciary Committee Amendment No. 1 be withdrawn, which motion prevailed.

MONDAY, APRIL 22, 2019 -- THIRTY-FIRST LEGISLATIVE DAY UNOFFICIAL VERSION

Rep. DeBerry moved that **Senate Bill No. 1324** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 94
Noes 0

Representatives voting aye were: Baum, Beck, Boyd, Bricken, Byrd, Calfee, Camper, Carr, Carter, Cepicky, Chism, Clemmons, Cochran, Coley, Cooper, Crawford, Curcio, Daniel, DeBerry, Dixie, Doggett, Dunn, Eldridge, Faison, Farmer, Freeman, Gant, Garrett, Griffey, Hakeem, Halford, Hall, Hardaway, Haston, Hawk, Hazlewood, Helton, Hicks, Hill M, Hill T, Hodges, Holsclaw, Howell, Hulsey, Jernigan, Johnson C, Johnson G, Keisling, Kumar, Lafferty, Lamar, Lamberth, Leatherwood, Littleton, Love, Lynn, Marsh, Miller, Moon, Ogles, Parkinson, Potts, Powell, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Sanderson, Sexton C, Sexton J, Shaw, Sherrell, Smith, Sparks, Stewart, Terry, Thompson, Tillis, Todd, Towns, Travis, Van Huss, Vaughan, Weaver, White, Whitson, Williams, Windle, Wright, Zachary, Mr. Speaker Casada--94

A motion to reconsider was tabled.

House Bill No. 268 -- School Transportation - As introduced, permits LEAs to install cameras on school buses to record vehicles that unlawfully pass a stopped school bus; allows evidence to be reviewed by law enforcement officers only after evidence is submitted to an LEA by a school bus driver; establishes citations for first and subsequent offenses. - Amends TCA Title 49, Chapter 6, Part 21 and Title 55, Chapter 8. by *Hill M, *Hodges, *Jernigan, *Whitson, *Hardaway, *Towns, *Potts, *Weaver, *Daniel, *Russell, *Thompson, *White, *Cepicky, *Helton, *Moon, *Calfee, *Powell, *Tillis, *Wright, *Love. (*SB205 by *Briggs, *Crowe)

Rep. M. Hill moved that House Bill No. 268 be passed on third and final consideration.

Rep. Howell moved adoption of Transportation Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 268 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 55-8-151, is amended by adding the following as a new subsection (c) and redesignating the present subsection (c) and the remaining subsections accordingly:

(c)

(1) Any local education agency (LEA) may purchase, install, operate, and maintain cameras on the exterior of school buses, or may enter into a contract with a private vendor to purchase, install, operate, and maintain cameras on the exterior of school buses on behalf of the LEA, for the purpose of recording images of motor vehicles that are in

violation of subdivision (a)(1) for failing to stop upon approaching a school bus.

(2) An LEA that installs cameras on the exterior of school buses in accordance with subdivision (c)(1) shall enter into a memorandum of understanding with local law enforcement for the preservation of evidence from a camera. Only POST-certified or state-commissioned law enforcement officers are authorized to review evidence from a camera to determine whether a violation of subdivision (a)(1) has occurred.

(3)

(A) A first violation of subdivision (a)(1) that is based solely upon evidence from a camera that has been installed on the exterior of a school bus is considered a nonmoving traffic violation. The registered owner of the motor vehicle is responsible for payment of any notice of violation or citation, not to exceed fifty dollars (\$50.00), for a first offense citation issued as the result of evidence from a camera; provided, that the owner is not responsible for the violation if the owner submits documentation in accordance with § 55-8-198(e).

(B) A second or subsequent violation of subdivision (a)(1) that is based solely upon evidence from a camera that has been installed on the exterior of a school bus is a Class A misdemeanor punishable in accordance with subdivision (a)(5)(B); provided, that the state must meet the burden of proof set out in § 39-11-201, and the person charged has no burden to prove innocence. An owner is not responsible for the violation if the owner submits documentation in accordance with § 55-8-198(e).

(4) Notices of violations or citations must be sent in accordance with § 55-8-198(b)(1) to the registered owner of the vehicle that was captured by the camera. A citation based solely upon evidence obtained from a camera that has been installed on the exterior of a school bus is deemed invalid if the registration information of the motor vehicle for which the citation is issued is not consistent with the evidence recorded by the camera.

(5) The notice of violation or citation must state the following:

(A) The date, location, and time of the alleged violation;

(B) The amount of the fine being assessed; and

(C) The means by which the owner may elect to shift responsibility for the payment of the citation to the operator of the vehicle at the time of the alleged violation pursuant to subdivision (c)(5).

(6)

(A) One hundred percent (100%) of the proceeds from any fine imposed by subdivision (c)(5)(A) that is based solely upon evidence obtained from a school bus camera shall be allocated to the LEA without being designated for any particular purpose.

(B)

(i) The LEA may use the proceeds for the purpose of defraying the costs of purchasing, installing, operating, or maintaining the camera, or reimbursing or compensating the vendor with which the LEA contracted regarding the purchase, installation, operation, or maintenance of the camera.

(ii) If the LEA uses the proceeds for the purpose of reimbursing or compensating a vendor with which the LEA contracted regarding the purchase, installation, operation, or maintenance of the camera, then the LEA shall create procedures for such reimbursement or compensation and shall maintain records of such reimbursement or compensation.

(7) No more than one (1) citation shall be issued for each distinct and separate traffic offense in violation of subdivision (a)(1) or a municipal ordinance or law that mirrors, substantially duplicates, or incorporates by cross-reference the language of subdivision (a)(1).

(8) Any LEA that contracts for transportation services with any persons or entities that own school buses, shall include in each contract a provision requiring the owner to allow the LEA, private vendor, or local law enforcement agency reasonable access to the bus for the purposes of installing, maintaining, or inspecting cameras or obtaining, gathering, or transmitting recorded images from the camera to enforce subdivision (a)(1).

(9) Any photograph or video recorded by a camera in accordance with this subsection (c) is admissible as evidence in any proceeding alleging a violation of subsection (a) if the photograph or video meets the standards of admissibility set forth in the Tennessee Rules of Evidence.

(10) As used in this subsection (c):

(A) "Camera" means any device that is capable of:

(i) Producing a digital photograph, recorded video, or other recorded image, including an image of a motor

vehicle passing or overtaking a school bus and the vehicle's license plate; and

(ii) Recording the time, date, and location of a vehicle at the time the image is recorded;

(B) "Local education agency" or "LEA" means the same as defined by § 49-1-103; and

(C) "School bus" means every motor vehicle owned by a county, city, local board of education, LEA, or private contractor that is operated for the transportation of students to or from any public school or public school-related activities.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Transportation Committee Amendment No. 1 was adopted.

Rep. M. Hill moved that **House Bill No. 268**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 92
Noes..... 1

Representatives voting aye were: Baum, Beck, Bricken, Byrd, Calfee, Camper, Carr, Carter, Cepicky, Chism, Clemmons, Cochran, Coley, Cooper, Crawford, Curcio, Daniel, DeBerry, Doggett, Dunn, Eldridge, Faison, Farmer, Freeman, Gant, Garrett, Griffey, Hakeem, Halford, Hall, Hardaway, Haston, Hawk, Hazlewood, Helton, Hicks, Hill M, Hill T, Hodges, Holsclaw, Howell, Hulsey, Jernigan, Johnson C, Johnson G, Keisling, Kumar, Lafferty, Lamar, Lamberth, Leatherwood, Littleton, Love, Marsh, Miller, Mitchell, Moon, Ogles, Parkinson, Potts, Powell, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Sanderson, Sexton C, Sexton J, Shaw, Sherrell, Smith, Sparks, Stewart, Terry, Thompson, Tillis, Todd, Towns, Travis, Van Huss, Vaughan, Weaver, White, Whitson, Williams, Windle, Wright, Zachary, Mr. Speaker Casada--92

Representatives voting no were: Lynn--1

A motion to reconsider was tabled.

***House Bill No. 1300** -- Insurance Companies, Agents, Brokers, Policies - As introduced, makes various changes to the "Revised Tennessee Captive Insurance Act," including allowing captives to get one change of business plan for free each year, allowing captives to hold their capital and surplus in currencies other than U.S. dollars, such as cryptocurrency, with the approval of the commissioner, and other changes. - Amends TCA Title 56. by *Casada, *Ogles. (SB1157 by *Jackson)

Rep. Ogles requested that House Bill No. 1300 be moved to the heel of the Calendar, which motion prevailed.

***House Bill No. 643** -- Mental Health & Substance Abuse Services, Dept. of - As introduced, removes law enforcement as a transportation option provided by the department of mental health and substance abuse services for people with developmental disabilities, mental illness, or serious emotional disturbance. - Amends TCA Title 8, Chapter 21; Title 8, Chapter 42; Title 9, Chapter 8; Title 13, Chapter 26; Title 29, Chapter 20; Title 33, Chapter 2; Title 33, Chapter 6; Title 33, Chapter 7; Title 37, Chapter 1; Title 56; Title 63; Title 68 and Title 71. by *Carter, *Littleton, *Russell, *Sherrell, *Sexton J, *Camper, *Bricken, *Helton, *Hazlewood, *Howell, *Byrd, *Doggett, *Calfee, *Vaughan, *Powell, *Chism, *Ogles, *Ragan, *Williams, *Crawford, *Tillis, *Hardaway, *Powers, *Smith, *White, *Reedy, *Moon, *Terry, *Hicks, *Hall, *Marsh, *Curcio, *Holt, *Shaw, *Cochran, *Weaver, *Keisling, *Windle, *Haston. (SB579 by *Gardenhire)

Rep. Carter moved that House Bill No. 643 be passed on third and final consideration.

Rep. Terry moved adoption of Health Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 643 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 33-6-406, is amended by adding the following as new subsections:

(c)

(1) Subject to annual appropriations, there is established a grant program to assist sheriffs required to transport persons to a hospital or treatment resource for emergency mental health transport under this section. The department of finance and administration, in consultation with the department of mental health and substance abuse services and the division of TennCare, shall develop and administer the grant program. Assistance from this grant program must not be provided for emergency mental health transports where a physician, psychologist, or designated professional determines that the person can be transported by one (1) or more friends, neighbors, or other mental health professionals familiar with the person, relatives of the person, or a member of the clergy pursuant to § 33-6-901.

(2) A sheriff may contract with one (1) or more third parties or other law enforcement agencies to transport persons to a hospital or treatment resource in accordance with this section. The sheriff shall deem a third party or law enforcement agency contracted to perform this function to be the designated secondary transportation agent pursuant to § 33-6-901. Any contract entered into under this subsection (c) is subject

to audit by the comptroller of the treasury or the comptroller's designee.

(3) A sheriff may receive grant funds provided under this subsection (c) and pay the grant funds to third parties or other law enforcement agencies with which the sheriff contracts to transport persons to a hospital or treatment resource in accordance with this section. The receipt or expenditure of grant funds received by a sheriff under this subsection (c) is subject to audit by the comptroller of the treasury or the comptroller's designee.

(d) If telehealth services are available and offered by a hospital or treatment resource at which a person is proposed to be admitted pursuant to title 33, chapter 6, part 4, then the hospital or treatment resource may elect to conduct an evaluation for admission under § 33-6-407 through telehealth as defined in § 56-7-1002.

SECTION 2. This act shall take effect July 1, 2019, the public welfare requiring it.

On motion, Health Committee Amendment No. 1 was adopted.

Rep. Carter moved that **House Bill No. 643**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 94
Noes..... 0

Representatives voting aye were: Baum, Beck, Boyd, Bricken, Byrd, Calfee, Camper, Carr, Carter, Cepicky, Chism, Clemmons, Cochran, Coley, Cooper, Crawford, Curcio, Daniel, DeBerry, Doggett, Dunn, Eldridge, Faison, Farmer, Freeman, Gant, Garrett, Griffey, Hakeem, Halford, Hall, Hardaway, Haston, Hawk, Hazlewood, Helton, Hicks, Hill M, Hill T, Hodges, Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson C, Johnson G, Keisling, Kumar, Lafferty, Lamar, Lamberth, Leatherwood, Littleton, Love, Lynn, Marsh, Miller, Mitchell, Moon, Ogles, Parkinson, Potts, Powell, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Sanderson, Sexton C, Sexton J, Shaw, Sherrell, Smith, Sparks, Terry, Thompson, Tillis, Todd, Towns, Travis, Van Huss, Vaughan, Weaver, White, Whitson, Williams, Windle, Wright, Zachary, Mr. Speaker Casada--94

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member desires to change their original stand from "not voting" to "aye" on **House Bill No. 643** and have this statement entered in the Journal: Rep. Staples.

REGULAR CALENDAR, CONTINUED

House Bill No. 667 -- Administrative Procedure (UAPA) - As introduced, continues permanent rules filed with the secretary of state after January 1, 2018. - Title 4, Chapter 5. by *Daniel, *Hicks. (*SB165 by *Roberts)

Rep. Daniel moved that House Bill No. 667 be passed on third and final consideration.

Rep. Rudder moved adoption of Government Operations Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 667 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1.

(a) Except as provided in subsection (c), all permanent rules filed in the office of secretary of state after January 1, 2018, that are in effect on the effective date of this act, and that are scheduled for expiration under § 4-5-226, on June 30, 2019, shall not expire on June 30, 2019, but shall remain in effect until repealed or amended by subsequent rule of the appropriate rulemaking agency or until otherwise superseded by legislative enactment.

(b) This section shall not be construed to justify the continued effectiveness of any rule that will remain in effect under subsection (a) if the rule conflicts with the provisions of any legislative enactment other than the Uniform Administrative Procedures Act, compiled in title 4, chapter 5.

(c) Notwithstanding subsection (a) or title 4, chapter 5, part 2, Tennessee Board of Funeral Directors and Embalmers Rule 0660-11-.05, relative to professional conduct, and filed in the office of secretary of state on December 12, 2018, shall expire on the effective date of this act.

SECTION 2. The department of revenue is no longer prohibited from collecting internet sales or use taxes pursuant to department rule 1320-05-01-.129(2), a rule that was scheduled to expire on June 30, 2017, as court rulings pertaining to such rule have been reviewed by the General Assembly.

SECTION 3. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

MONDAY, APRIL 22, 2019 -- THIRTY-FIRST LEGISLATIVE DAY UNOFFICIAL VERSION

SECTION 4. Section 2 of this act shall take effect July 1, 2019, the public welfare requiring it. All other sections of this act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Government Operations Committee Amendment No. 1 was adopted.

Rep. Daniel moved that **House Bill No. 667**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 85
Noes..... 7
Present and not voting..... 2

Representatives voting aye were: Baum, Beck, Boyd, Bricken, Byrd, Calfee, Camper, Carr, Cepicky, Chism, Clemmons, Cochran, Coley, Cooper, Curcio, Daniel, DeBerry, Dixie, Doggett, Dunn, Eldridge, Faison, Farmer, Freeman, Gant, Garrett, Griffey, Hakeem, Halford, Hall, Hardaway, Haston, Hawk, Hazlewood, Helton, Hicks, Hill M, Hodges, Holsclaw, Holt, Howell, Jernigan, Johnson C, Johnson G, Kumar, Lafferty, Lamar, Lamberth, Leatherwood, Love, Lynn, Marsh, Miller, Mitchell, Moon, Parkinson, Potts, Powell, Ragan, Ramsey, Reedy, Rudder, Russell, Sanderson, Sexton C, Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Thompson, Tillis, Todd, Towns, Travis, Van Huss, Vaughan, Weaver, White, Whitson, Williams, Wright, Zachary, Mr. Speaker Casada--85

Representatives voting no were: Crawford, Hill T, Hulsey, Keisling, Rudd, Sexton J, Windle--7

Representatives present and not voting were: Ogles, Powers--2

A motion to reconsider was tabled.

***House Bill No. 339** -- Health Care - As introduced, increases, from \$500 to \$1,000, the maximum amount of civil penalty that may be imposed on a person who performs, offers to perform, or holds such person out as performing any activity for which a certificate of need is required without first obtaining a valid certificate of need. - Amends TCA Title 63 and Title 68. by *Smith, *Terry. (SB1211 by *Crowe)

CHAIR TO DUNN

Mr. Speaker Casada relinquished the Chair to Speaker Pro Tempore Dunn.

REGUALR CALENDAR, CONTINUED

Rep. Smith moved that House Bill No. 339 be passed on third and final consideration.
Rep. Terry moved adoption of Health Committee Amendment No. 1 as follows:

Amendment No. 1

1669

This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

AMEND House Bill No. 339 by deleting all language after the enacting clause and substituting the following:

SECTION 1. Tennessee Code Annotated, Section 63-17-110, is amended by adding the following language as a new subsection (c) and redesignating existing subsections (c) and (d) accordingly:

(c)

(1) A person who has completed the educational requirements for licensure as a speech language pathologist and has received at least a master's degree from an approved educational institution may apply for and receive from the board a provisional license to practice as a clinical fellow during the person's period of supervised clinical experience. The board may adopt rules to establish standards and procedures to govern provisional licenses and the provisional license fee.

(2) Until such time as the board has adopted rules to establish standards and procedures to govern provisional licenses, the provisions of Rules and Regulations of the State of Tennessee, Rule 1370-01-.10, governing registration of clinical fellows, apply to persons seeking a provisional license to practice as a clinical fellow during the period of supervised clinical experience.

(3) Any person who, on the effective date of this act, has been registered as a clinical fellow pursuant to Rules and Regulations of the State of Tennessee, Rule 1370-01-.10, is deemed to have a provisional license for the same period of time that the person's registration would be effective under that rule.

SECTION 2. Tennessee Code Annotated, Section 63-17-114(6), is amended by deleting the word "Restrict" and substituting instead the word "Prevent"; by deleting the word "unlicensed"; and by adding the language "with a provisional license" between the word "pathologists" and the word "at".

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Health Committee Amendment No. 1 was adopted.

Rep. Smith moved that **House Bill No. 339**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

1670

This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

Ayes 95
Noes..... 0

Representatives voting aye were: Baum, Beck, Boyd, Bricken, Byrd, Calfee, Camper, Carr, Cepicky, Chism, Clemmons, Cochran, Coley, Cooper, Crawford, Curcio, Daniel, DeBerry, Dixie, Doggett, Dunn, Eldridge, Faison, Farmer, Freeman, Gant, Garrett, Hakeem, Halford, Hall, Hardaway, Haston, Hawk, Hazlewood, Helton, Hicks, Hill M, Hill T, Hodges, Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson C, Johnson G, Keisling, Kumar, Lafferty, Lamar, Lamberth, Leatherwood, Littleton, Love, Lynn, Marsh, Miller, Mitchell, Moon, Ogles, Parkinson, Potts, Powell, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Sanderson, Sexton C, Sexton J, Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Terry, Thompson, Tillis, Todd, Towns, Travis, Van Huss, Vaughan, Weaver, White, Whitson, Williams, Windle, Wright, Zachary, Mr. Speaker Casada--95

A motion to reconsider was tabled.

***House Bill No. 1192** -- Education, State Board of - As introduced, changes from August 1 to July 1 the date by which the state board of education must annually submit a report to the general assembly concerning implementation of standards and curriculum designed to educate students about the United States and Tennessee governments. - Amends TCA Section 49-6-1028. by *Smith, *Hazlewood, *Helton, *Littleton, *Rudder, *Moody, *Weaver, *Boyd, *Camper, *Casada, *White, *Sexton C, *Lamberth, *Ogles, *Cochran, *Zachary, *Powers, *Sherrell, *Williams, *Hardaway. (SB1248 by *Gresham, *White)

Rep. Smith moved that House Bill No. 1192 be passed on third and final consideration.

Rep. White moved adoption of Education Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 1192 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 49-6-1028, is amended by adding the following as a new subsection:

(f)

(1) To educate public school students in kindergarten through grade twelve (K-12) about the ratification of the nineteenth amendment to the United States Constitution on August 18, 1920, and to educate students on the state of Tennessee's fundamental role in guaranteeing all women the right to vote, the department of education and public schools shall, throughout the 2019-2020 school year, commemorate the centennial of women's suffrage and recognize the Tennesseans who were instrumental in securing all women the right to vote.

(2) The department of education, the state library and archives, and the secretary of state shall promote, and post information on their respective websites about, the centennial of women's suffrage.

(3) During each month of the 2019-2020 school year, public schools shall provide instruction to students in kindergarten through grade twelve (K-12) on different aspects of the women's suffrage movement that aligns with the timing of the legislative events of the year immediately preceding the ratification of the nineteenth amendment to the United States Constitution on August 18, 1920.

(4) The department of education shall provide each LEA and public charter school with a variety of age-appropriate and grade-appropriate internet resources and materials that may be used to instruct public school students about the centennial of women's suffrage. The resources and materials identified by the department should aid educators and curriculum coordinators in creating programs and lesson plans to celebrate the centennial of women's suffrage. Each LEA and public charter school shall determine the resources and materials that will be used to provide the instruction required under this subsection (f).

(5) The instruction required under this subsection (f) must comply with § 49-6-1011.

(6) This subsection (f) is repealed on July 1, 2020.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Education Committee Amendment No. 1 was adopted.

Rep. Smith moved that **House Bill No. 1192**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 97
Noes..... 0

Representatives voting aye were: Baum, Beck, Boyd, Bricken, Byrd, Calfee, Camper, Carr, Carter, Cepicky, Chism, Clemmons, Cochran, Coley, Cooper, Crawford, Curcio, Daniel, DeBerry, Dixie, Doggett, Dunn, Eldridge, Faison, Farmer, Freeman, Gant, Garrett, Griffey, Hakeem, Halford, Hall, Hardaway, Haston, Hawk, Hazlewood, Helton, Hicks, Hill M, Hill T, Hodges, Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson C, Johnson G, Keisling, Kumar, Lafferty, Lamar, Lamberth, Leatherwood, Littleton, Love, Lynn, Marsh, Miller, Mitchell, Moon, Ogles, Parkinson, Potts, Powell, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Sanderson, Sexton C, Sexton J, Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Terry, Thompson, Tillis, Todd, Towns, Travis, Van Huss, Vaughan, Weaver, White, Whitson, Williams, Windle, Wright, Zachary, Mr. Speaker Casada--97

A motion to reconsider was tabled.

***House Bill No. 174** -- Tennessee Bureau of Investigation - As introduced, transfers the fire investigations section from the department of commerce and insurance to the bureau. - Amends TCA Title 4; Title 38, Chapter 6 and Title 68, Chapter 102. by *Russell, *Eldridge, *Helton, *Cochran, *Ragan, *Howell. (SB251 by *Hensley)

Rep. Russell moved that House Bill No. 174 be passed on third and final consideration.

Rep. Keisling moved adoption of State Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 174 by deleting all language following the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 38, Chapter 6, Part 1, is amended by adding the following as a new section:

(a) The fire investigations section within the fire prevention division of the department of commerce and insurance is transferred to the Tennessee bureau of investigation.

(b) It is the intention of the general assembly that personnel, equipment, funding, duties, authority, and property transferred on the effective date of this act be transferred no later than January 1, 2020.

(c) The director of the Tennessee bureau of investigation will develop and implement a transfer plan. The plan must set forth the procedures under which transferred employees must be incorporated into the bureau.

(d) The initial transfer of any preferred service employee pursuant to the transfer from the department of commerce and insurance to the Tennessee bureau of investigation must not result in any impairment, interruption, or diminution of employee rights, salary, benefits, leave accumulation, or employment. The commissioner of human resources may determine if there has been any impairment of rights, salary, benefits, leave accumulation, or employment as a result of the initial transfer. Any preferred service employee may seek redress of any such determination through a request for declaratory order by the commissioner of human resources pursuant to § 4-5-223.

(e) The bureau shall electronically transmit a summary stating the cause, origin, and the circumstances of each fire investigation to the state fire marshal and the local fire department in the jurisdiction where the fire occurred.

SECTION 2. Tennessee Code Annotated, Section 68-102-102, is amended by deleting subdivision (6).

SECTION 3. Tennessee Code Annotated, Section 68-102-115(a)(1), is amended by adding the following as a new subdivision:

1673

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(C) The Tennessee bureau of investigation;

SECTION 4. Tennessee Code Annotated, Section 68-102-115(a), is amended by deleting the period (.) at the end of subdivision (3) and adding the following language:

that suggests future behavior tendencies of a person of interest, including a propensity for violence, that may assist an insurance company in determining a fact or motive of a person of interest, or both.

SECTION 5. Tennessee Code Annotated, Section 68-102-115(f), is amended by deleting subdivision (2) and substituting instead the following:

(2) Any insurance company providing information to an authorized agency or agencies pursuant to subsection (b) may request relevant information obtained in an investigation from such authorized agency and must receive, within a reasonable time, not to exceed thirty (30) days, the information requested. The authorized agency may withhold information deemed sensitive to a non-arson criminal investigation with the approval of the supervising agent. The Tennessee bureau of investigation, however, may withhold any investigative document that the bureau believes would compromise the integrity of a criminal investigation.

SECTION 6. Tennessee Code Annotated, Section 68-102-115, is amended by adding the following as a new subsection:

(h) This section must not be construed to inhibit the investigative rights of any insurance company. An authorized agency involved in an investigation pursuant to this section shall allow the reporting insurance company to concurrently conduct its own, independent investigation without obstruction, in accordance with the direction of and in the presence of the agency.

SECTION 7. Tennessee Code Annotated, Section 68-102-129, is amended by deleting the language "it is the duty of the district attorney general to call" and substituting instead the language "the district attorney general shall call".

SECTION 8. Tennessee Code Annotated, Section 68-102-142, is amended by deleting the language "For the maintenance of the division of fire prevention and the payment of expenses incident thereto," and substituting instead the language "For the maintenance of the division of fire prevention and the payment of expenses incident thereto, and for the maintenance of the fire investigations section transferred to the Tennessee bureau of investigation pursuant to this act, and the payment of expenses incident to the duty of the fire investigations section to investigate destructive fires in this state,".

SECTION 9. Tennessee Code Annotated, Section 68-102-142, is amended by deleting the language "for the maintenance of the division of fire prevention, and the payment out of the fund for the expenses and maintenance of the division" and substituting instead the language "for the maintenance of the division of fire prevention

and the fire investigations section, and for the payment out of the fund for the expenses and maintenance of the division and the fire investigations section".

SECTION 10. Tennessee Code Annotated, Section 68-102-144, is amended by deleting the section in its entirety.

SECTION 11. All rules and regulations governing the fire investigations section promulgated by the department of commerce and insurance in effect on the effective date of this section shall be transferred to the Tennessee bureau of investigation, and assigned an appropriate new control number by the secretary of state, and shall remain in full force and effect until modified or repealed by the Tennessee bureau of investigation. The bureau may promulgate rules and regulations to effectuate the purposes of this act.

SECTION 12. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, State Committee Amendment No. 1 was adopted.

Rep. Russell moved that **House Bill No. 174**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 97
Noes..... 0

Representatives voting aye were: Baum, Beck, Boyd, Bricken, Byrd, Calfee, Camper, Carr, Carter, Cepicky, Chism, Clemmons, Cochran, Coley, Cooper, Crawford, Curcio, Daniel, DeBerry, Dixie, Doggett, Dunn, Eldridge, Faison, Farmer, Freeman, Gant, Garrett, Griffey, Hakeem, Halford, Hall, Hardaway, Haston, Hawk, Hazlewood, Helton, Hicks, Hill M, Hill T, Hodges, Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson C, Johnson G, Keisling, Kumar, Lafferty, Lamar, Lamberth, Leatherwood, Littleton, Love, Lynn, Marsh, Miller, Mitchell, Moon, Ogles, Parkinson, Potts, Powell, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Sanderson, Sexton C, Sexton J, Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Terry, Thompson, Tillis, Todd, Towns, Travis, Van Huss, Vaughan, Weaver, White, Whitson, Williams, Windle, Wright, Zachary, Mr. Speaker Casada--97

A motion to reconsider was tabled.

***House Bill No. 1** -- Gambling - As introduced, authorizes sports betting in this state only in jurisdictions that approve sports betting by local option election; imposes a 10 percent tax on gaming revenue; distributes 40 percent of the tax to the general fund for general appropriations, 30 percent to Tennessee colleges of applied technologies and community colleges for equipment and capital projects, and 30 percent to local governments for education and infrastructure; establishes the Tennessee gaming commission to regulate sports betting; authorizes the commission to collaborate with the Tennessee bureau of investigation for purposes of enforcement. - Amends TCA Title 4; Title 14; Title 38; Title 39, Chapter 17, Part 5; Title 47, Chapter 18; Title 49 and Title 67. by *Staples. (SB16 by *Dickerson, *Akbari, *Kyle, *Robinson)

Rep. Staples moved that **House Bill No. 1** be reset for the Regular Calendar on April 24, 2019, which motion prevailed.

***House Bill No. 1029** -- Abortion - As introduced, enacts the "Human Life Protection Act," which bans abortion in this state effective upon the U.S. Supreme Court overturning Roe v. Wade or amending the U.S. Constitution to allow states to prohibit abortion; creates exception for situations where the abortion is necessary to prevent the death of pregnant woman or prevent serious risk of substantial and irreversible impairment of major bodily function; prohibits prosecution of a woman upon whom an abortion is performed or attempted. - Amends TCA Section 9-4-5116; Title 37, Chapter 10, Part 3; Title 39, Chapter 13, Part 2; Title 39, Chapter 15, Part 2; Title 39, Chapter 13, Part 1; Title 63, Chapter 9; Title 63, Chapter 6; Title 68 and Title 71, Chapter 5. by *Lynn, *Gant, *Zachary, *Boyd, *Whitson, *Moody, *Calfee, *Faison, *Griffey, *Carr, *Dunn, *Vaughan, *Baum, *Haston, *Reedy, *Ragan, *Byrd, *Kumar, *Lamberth, *Tillis, *Weaver, *Russell, *Hulsey, *White, *Marsh, *Farmer, *Hicks, *Littleton, *Garrett, *Sanderson, *Rudd, *Crawford, *Sparks, *Travis, *Moon, *Hurt, *Smith, *Todd, *Keisling, *Daniel, *Johnson C, *Powers, *Hawk, *Ogles, *Sherrell, *Carter, *Hall, *Holt, *Helton, *Sexton J, *Leatherwood, *Williams, *Cochran, *Cepicky, *Terry. (SB1257 by *Gresham)

Rep. Lynn requested that House Bill No. 1029 be moved down five places on today's Calendar, which motion prevailed.

***House Bill No. 1016** -- Local Education Agencies - As introduced, requires students to pass a civics test to receive a full diploma upon graduation from high school; requires LEAs to include all 100 questions from the United States civics test, instead of only 25 to 50 questions, on the civics test prepared by the LEA; increases from 70 to 75 the percentage of questions a student must correctly answer to pass the civics test. - Amends TCA Title 49. by *Weaver, *Coley, *Van Huss, *Kumar, *Cepicky, *Lafferty, *Hall, *Ragan, *Sanderson, *Holt, *Doggett, *Baum, *Helton, *Carter, *Eldridge, *Reedy, *Rudd, *Rudder, *Wright, *Smith, *Williams, *Lynn, *Cochran, *Marsh, *Hill T, *Terry, *Powers. (SB1243 by *Gresham, *Hensley, *Pody, *Bowling, *Reeves, *Bailey, *Dickerson, *Kelsey, *Swann, *White, *Jackson, *Haile)

Rep. Weaver moved that House Bill No. 1016 be passed on third and final consideration.

Rep. White moved adoption of Education Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 1016 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 49-6-408(b), is amended by deleting the subsection and substituting instead the following:

An LEA shall prepare a test for its students composed of at least fifty (50) questions from those questions described in subsection (a). The test must be composed of at least twenty-nine (29) questions on American government, at least sixteen (16) questions on American history, and at least seven (7)

questions on integrated civics. The LEA may prepare multiple versions of the test for use in different schools and at different times.

SECTION 2. Tennessee Code Annotated, Section 49-6-408(d), is amended by deleting the subsection and substituting instead the following:

A student must correctly answer at least seventy percent (70%) of the questions to receive a passing score on the test.

SECTION 3. Tennessee Code Annotated, Section 49-6-408(e), is amended by deleting the subsection and substituting instead the following:

The department shall recognize a school on the department's website as a United States civics all-star school for any school year in which all of the school's seniors receiving a regular diploma, except for those students exempted from taking the test under subsection (c), make a passing grade of eighty-five percent (85%) or more on the United States civics test required under subsection (a).

SECTION 4. Tennessee Code Annotated, Section 49-6-408, is amended by adding the following language as a new subsection:

Notwithstanding § 49-6-6001(a), a student must take and pass the civics test required by this section in order to meet the social studies course credit requirements to earn a full diploma upon graduation from high school. A passing score on the civics test must be noted on a student's transcript. This requirement does not apply to a student who has an IEP as described in subsection (c).

SECTION 5. This act shall take effect July 1, 2019, the public welfare requiring it.

On motion, Education Committee Amendment No. 1 was adopted.

Rep. Gant moved the previous question, which motion prevailed by the following vote:

Ayes	68
Noes	28

Representatives voting aye were: Baum, Boyd, Bricken, Byrd, Calfee, Carr, Carter, Cepicky, Cochran, Coley, Crawford, Curcio, Daniel, Doggett, Dunn, Eldridge, Farmer, Gant, Garrett, Griffey, Halford, Hall, Haston, Hawk, Hazlewood, Helton, Hicks, Hill M, Hill T, Holsclaw, Holt, Howell, Hulsey, Johnson C, Keisling, Kumar, Lafferty, Lamberth, Leatherwood, Littleton, Lynn, Marsh, Moon, Ogles, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Sexton C, Sexton J, Sherrell, Smith, Terry, Tillis, Todd, Travis, Van Huss, Vaughan, Weaver, White, Whitson, Williams, Wright, Zachary, Mr. Speaker Casada--68

Representatives voting no were: Beck, Camper, Chism, Clemmons, Cooper, DeBerry, Dixie, Faison, Freeman, Hakeem, Hardaway, Hodges, Jernigan, Johnson G, Lamar, Love,

MONDAY, APRIL 22, 2019 -- THIRTY-FIRST LEGISLATIVE DAY UNOFFICIAL VERSION

Miller, Mitchell, Parkinson, Potts, Powell, Shaw, Sparks, Staples, Stewart, Thompson, Towns, Windle--28

Rep. Weaver moved that **House Bill No. 1016**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 77
Noes..... 15
Present and not voting..... 3

Representatives voting aye were: Baum, Boyd, Bricken, Byrd, Calfee, Carr, Carter, Cepicky, Cochran, Coley, Crawford, Curcio, Daniel, DeBerry, Doggett, Eldridge, Faison, Farmer, Gant, Garrett, Griffey, Halford, Hall, Hardaway, Haston, Hawk, Hazlewood, Helton, Hicks, Hill M, Hill T, Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson C, Keisling, Kumar, Lafferty, Lamberth, Leatherwood, Littleton, Lynn, Marsh, Moon, Ogles, Potts, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Sanderson, Sexton C, Sexton J, Shaw, Sherrell, Smith, Sparks, Staples, Terry, Tillis, Todd, Travis, Van Huss, Vaughan, Weaver, White, Whitson, Williams, Windle, Wright, Zachary, Mr. Speaker Casada--77

Representatives voting no were: Chism, Clemmons, Cooper, Dixie, Freeman, Hakeem, Hodges, Johnson G, Lamar, Miller, Mitchell, Parkinson, Powell, Stewart, Towns--15

Representatives present and not voting were: Beck, Dunn, Thompson--3

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member desires to change their original stand from "not voting" to "present and not voting" on **House Bill No. 1016** and have this statement entered in the Journal: Rep. Camper.

REGULAR CALENDAR, CONTINUED

House Bill No. 1461 -- Taxes, Sales - As introduced, for sales tax purposes, requires a lessee or renter to notify the commissioner of revenue if the lease or rental price of tangible personal property and computer software is calculated on a semi-monthly or quarterly basis. - Amends TCA Title 67, Chapter 6. by *Casada, *White, *Camper, *Leatherwood, *Thompson. (*SB1161 by *Kelsey, *Kyle, *Robinson)

Rep. White moved that House Bill No. 1461 be passed on third and final consideration.

Rep. Lynn moved adoption of Finance, Ways, and Means Committee Amendment No. 1 as follows:

1678

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Amendment No. 1

AMEND House Bill No. 1461 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 67, Chapter 6, Part 3, is amended by adding the following as a new section:

(a) Subject to the approval set forth in subdivision (c)(2), there is a sales and use tax exemption on qualified building materials used in the construction, expansion, or renovation of one (1) or more qualified, new, or expanded warehouse or distribution facilities as defined in § 67-6-102(44)(H); provided, that the taxpayer or a lessor, or both, makes a capital investment of at least one billion dollars (\$1,000,000,000) in the construction or renovation of such facilities and related facilities at the same location within the qualified capital investment period.

(b) For purposes of this section:

(1) "Qualified building materials" means tangible personal property purchased during the period between July 1, 2019, and December 31, 2026, that becomes part of the real property comprising the facility; and

(2) "Qualified capital investment period" means a period beginning on or after January 1, 2019, and ending no later than December 31, 2026.

(c)

(1) A taxpayer seeking the exemption provided under this section shall submit an application for exemption to the commissioner of revenue, describing the investment to be made during the qualified capital investment period. The application must be submitted on forms prescribed by the commissioner and demonstrate that the requirements of this section will be met.

(2) After approval of the exemption application, the commissioner shall issue a certificate of exemption to the taxpayer.

(d) If any requirements of this section are not met, the taxpayer is liable for any sales or use tax, penalty, or interest that would otherwise have been due with respect to items purchased on a tax-exempt basis pursuant to this section. Notwithstanding any other law to the contrary, the amount of any tax due under this subsection (d) must be assessed within three (3) years of December 31 of the final year of the investment period; provided, however, that such time to assess may be extended pursuant to § 67-1-1501(b)(5).

MONDAY, APRIL 22, 2019 -- THIRTY-FIRST LEGISLATIVE DAY UNOFFICIAL VERSION

(e) An application with the department of revenue for the exemption provided in this section must be filed prior to October 1, 2019.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Finance, Ways, and Means Committee Amendment No. 1 was adopted.

Rep. White moved that **House Bill No. 1461**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 94
Noes..... 2

Representatives voting aye were: Baum, Beck, Boyd, Bricken, Byrd, Calfee, Camper, Carr, Carter, Cepicky, Chism, Clemmons, Cochran, Coley, Cooper, Crawford, Curcio, Daniel, DeBerry, Dixie, Doggett, Dunn, Eldridge, Faison, Farmer, Freeman, Gant, Garrett, Griffey, Hakeem, Halford, Hall, Hardaway, Haston, Hawk, Hazlewood, Helton, Hicks, Hill M, Hill T, Hodges, Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson C, Keisling, Kumar, Lafferty, Lamar, Lamberth, Leatherwood, Littleton, Love, Lynn, Marsh, Miller, Mitchell, Moon, Ogles, Parkinson, Potts, Powell, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Sanderson, Sexton C, Sexton J, Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Terry, Thompson, Tillis, Todd, Towns, Van Huss, Vaughan, Weaver, White, Whitson, Windle, Wright, Zachary, Mr. Speaker Casada--94

Representatives voting no were: Johnson G, Williams--2

A motion to reconsider was tabled.

House Bill No. 1449 -- Criminal Procedure - As introduced, allows a court to sentence a person to an individually assessed sentence based on community rehabilitation with a focus on parent-child unity and support, if the person has been convicted of a nonviolent offense and is the primary caretaker of a dependent child. - Amends TCA Title 40 and Title 41. by *Camper, *Love, *Hardaway, *Staples, *Freeman, *Clemmons, *Powell. (*SB985 by *Gilmore, *Akbari)

On motion, House Bill No. 1449 was made to conform with **Senate Bill No. 985**; the Senate Bill was substituted for the House Bill.

Rep. Camper moved that Senate Bill No. 985 be passed on third and final consideration.

Rep. Curcio moved that Judiciary Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Camper moved that **Senate Bill No. 985** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 91

Noes..... 5

Representatives voting aye were: Baum, Beck, Boyd, Bricken, Byrd, Calfee, Camper, Carr, Carter, Cepicky, Chism, Clemmons, Cochran, Coley, Cooper, Curcio, Daniel, DeBerry, Dixie, Doggett, Dunn, Eldridge, Faison, Farmer, Freeman, Gant, Garrett, Hakeem, Halford, Hall, Hardaway, Haston, Hawk, Hazlewood, Helton, Hicks, Hill M, Hodges, Holsclaw, Howell, Jernigan, Johnson C, Johnson G, Keisling, Kumar, Lafferty, Lamar, Lamberth, Leatherwood, Littleton, Love, Lynn, Marsh, Miller, Mitchell, Moon, Ogles, Parkinson, Potts, Powell, Powers, Ragan, Ramsey, Rudd, Rudder, Russell, Sanderson, Sexton C, Sexton J, Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Terry, Thompson, Tillis, Todd, Towns, Travis, Van Huss, Vaughan, Weaver, White, Whitson, Williams, Windle, Wright, Zachary, Mr. Speaker Casada--91

Representatives voting no were: Crawford, Griffey, Hill T, Holt, Hulsey--5

A motion to reconsider was tabled.

***House Bill No. 886** -- Basic Education Program (BEP) - As introduced, excludes nonrecurring funds appropriated by a local government for schools designated to be in priority status from the maintenance of local funding requirement for each year that the school is identified as a priority school plus one additional year. - Amends TCA Title 49. by *Dixie, *Chism, *Love, *Clemmons, *Hardaway, *Camper. (SB976 by *Yarbro)

Rep. Dixie moved that House Bill No. 886 be passed on third and final consideration.

Rep. White moved adoption of Education Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 886 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 49-3-314(c)(4), is amended by deleting the subdivision and substituting instead the following:

(A) Notwithstanding any other law to the contrary, if, in any fiscal year, a local government appropriates funds for education for nonrecurring expenditures, including nonrecurring funds for priority schools, evidenced by a written agreement with the LEA establishing the nonrecurring use of the funds, then such funds must be excluded from the maintenance of local funding requirement and from any apportionment requirement under § 49-3-315(a). Before any such agreement takes effect, it must be reviewed by the department of education to ensure the nonrecurring nature of the expenditures.

(B) If, pursuant to subdivision (c)(4)(A), a local government appropriates nonrecurring funds for priority schools, evidenced by a written agreement with the LEA establishing the nonrecurring use of the funds, then such funds must be excluded from the maintenance of local funding requirement and from any apportionment requirement under § 49-3-315(a) for each year that the school is

identified as a priority school plus one (1) additional year. Before any such agreement takes effect, it must be reviewed by the department of education to ensure the nonrecurring nature of the expenditures.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Education Committee Amendment No. 1 was adopted.

Rep. Dixie moved that **House Bill No. 886**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 96
Noes..... 1

Representatives voting aye were: Baum, Beck, Boyd, Bricken, Byrd, Calfee, Camper, Carr, Carter, Cepicky, Chism, Clemmons, Cochran, Coley, Cooper, Crawford, Curcio, Daniel, DeBerry, Dixie, Doggett, Dunn, Eldridge, Faison, Farmer, Freeman, Gant, Garrett, Griffey, Hakeem, Halford, Hall, Hardaway, Haston, Hawk, Hazlewood, Helton, Hicks, Hill M, Hill T, Hodges, Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson C, Johnson G, Keisling, Kumar, Lafferty, Lamar, Lamberth, Leatherwood, Littleton, Love, Lynn, Marsh, Miller, Mitchell, Moon, Ogles, Parkinson, Potts, Powell, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Sanderson, Sexton C, Sexton J, Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Terry, Thompson, Tillis, Todd, Towns, Travis, Van Huss, Vaughan, Weaver, White, Whitson, Windle, Wright, Zachary, Mr. Speaker Casada--96

Representatives voting no were: Williams--1

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member desires to change their original stand from "no" to "aye" on **House Bill No. 886** and have this statement entered in the Journal: Rep. Williams.

REGUALR CALENDAR, CONTINUED

***House Bill No. 1029** -- Abortion - As introduced, enacts the "Human Life Protection Act," which bans abortion in this state effective upon the U.S. Supreme Court overturning Roe v. Wade or amending the U.S. Constitution to allow states to prohibit abortion; creates exception for situations where the abortion is necessary to prevent the death of pregnant woman or prevent serious risk of substantial and irreversible impairment of major bodily function; prohibits prosecution of a woman upon whom an abortion is performed or attempted. - Amends TCA Section 9-4-5116; Title 37, Chapter 10, Part 3; Title 39, Chapter 13, Part 2; Title 39, Chapter 15,

MONDAY, APRIL 22, 2019 -- THIRTY-FIRST LEGISLATIVE DAY UNOFFICIAL VERSION

Part 2; Title 39, Chapter 13, Part 1; Title 63, Chapter 9; Title 63, Chapter 6; Title 68 and Title 71, Chapter 5. by *Lynn, *Gant, *Zachary, *Boyd, *Whitson, *Moody, *Calfee, *Faison, *Griffey, *Carr, *Dunn, *Vaughan, *Baum, *Haston, *Reedy, *Ragan, *Byrd, *Kumar, *Lamberth, *Tillis, *Weaver, *Russell, *Hulsey, *White, *Marsh, *Farmer, *Hicks, *Littleton, *Garrett, *Sanderson, *Rudd, *Crawford, *Sparks, *Travis, *Moon, *Hurt, *Smith, *Todd, *Keisling, *Daniel, *Johnson C, *Powers, *Hawk, *Ogles, *Sherrell, *Carter, *Hall, *Holt, *Helton, *Sexton J, *Leatherwood, *Williams, *Cochran, *Cepicky, *Terry. (SB1257 by *Gresham)

On motion, House Bill No. 1029 was made to conform with **Senate Bill No. 1257**; the Senate Bill was substituted for the House Bill.

Rep. Lynn moved that Senate Bill No. 1257 be passed on third and final consideration.

Rep. Terry moved that Health Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Marsh moved the previous question, which motion prevailed by the following vote:

Ayes	66
Noes.....	29

Representatives voting aye were: Baum, Boyd, Bricken, Byrd, Calfee, Carr, Carter, Cepicky, Cochran, Crawford, Curcio, Doggett, Dunn, Eldridge, Faison, Farmer, Gant, Garrett, Griffey, Halford, Hall, Haston, Hawk, Hazlewood, Helton, Hicks, Hill T, Holsclaw, Holt, Howell, Hulsey, Johnson C, Keisling, Kumar, Lafferty, Lamberth, Leatherwood, Littleton, Lynn, Marsh, Moon, Ogles, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Sanderson, Sexton J, Sherrell, Smith, Terry, Tillis, Todd, Travis, Vaughan, Weaver, White, Whitson, Williams, Windle, Wright, Zachary, Mr. Speaker Casada--66

Representatives voting no were: Beck, Camper, Chism, Clemmons, Coley, Cooper, DeBerry, Dixie, Freeman, Hakeem, Hardaway, Hill M, Hodges, Jernigan, Johnson G, Lamar, Love, Miller, Mitchell, Parkinson, Potts, Powell, Shaw, Sparks, Staples, Stewart, Thompson, Towns, Van Huss--29

Rep. Lynn moved that **Senate Bill No. 1257** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	69
Noes.....	24

Representatives voting aye were: Baum, Boyd, Bricken, Byrd, Calfee, Carr, Carter, Cepicky, Cochran, Crawford, Curcio, DeBerry, Doggett, Dunn, Eldridge, Faison, Farmer, Gant, Garrett, Griffey, Halford, Hall, Haston, Hawk, Helton, Hicks, Hill M, Hill T, Holsclaw, Holt, Howell, Hulsey, Johnson C, Keisling, Kumar, Lafferty, Lamberth, Leatherwood, Littleton, Lynn, Marsh, Moon, Ogles, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Sanderson, Sexton J, Sherrell, Smith, Sparks, Terry, Tillis, Todd, Travis, Van Huss, Vaughan, Weaver, White, Whitson, Williams, Windle, Wright, Zachary, Mr. Speaker Casada--69

MONDAY, APRIL 22, 2019 -- THIRTY-FIRST LEGISLATIVE DAY UNOFFICIAL VERSION

Representatives voting no were: Beck, Camper, Chism, Clemmons, Cooper, Dixie, Freeman, Hakeem, Hardaway, Hodges, Jernigan, Johnson G, Lamar, Love, Miller, Mitchell, Parkinson, Potts, Powell, Shaw, Staples, Stewart, Thompson, Towns--24

A motion to reconsider was tabled.

House Bill No. 1483 -- Local Education Agencies - As introduced, requires LEAs to provide free feminine hygiene products in eligible public high schools. - Amends TCA Title 49 and Title 68. by *Hardaway, *Clemmons, *White, *Johnson G, *Cooper, *Coley, *Freeman, *Thompson, *Faison, *Lamar, *Hakeem, *Hodges, *Potts, *Hawk, *Miller, *Dunn, *Moody, *Dixie, *Beck, *Mitchell, *Chism, *Camper, *Shaw, *Stewart, *Love, *Powell, *Helton, *Jernigan, *Towns. (*SB1046 by *Kyle)

Rep. Hardaway moved that House Bill No. 1483 be passed on third and final consideration.

Rep. White moved adoption of Education Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 1483 by deleting the word "shall" from the amendatory language of subsection (b) in Section 1 and substituting instead the language "is authorized to".

On motion, Education Committee Amendment No. 1 was adopted.

Rep. Hardaway moved that **House Bill No. 1483**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 82
Noes 8

Representatives voting aye were: Baum, Beck, Boyd, Bricken, Byrd, Camper, Carter, Cepicky, Chism, Clemmons, Cochran, Coley, Cooper, Curcio, Daniel, DeBerry, Dixie, Dunn, Eldridge, Faison, Farmer, Freeman, Gant, Garrett, Griffey, Hakeem, Halford, Hall, Hardaway, Haston, Hawk, Helton, Hicks, Hill M, Hill T, Hodges, Holsclaw, Holt, Hulse, Jernigan, Johnson C, Johnson G, Keisling, Kumar, Lafferty, Lamar, Lamberth, Leatherwood, Littleton, Love, Miller, Mitchell, Moon, Ogles, Parkinson, Potts, Powell, Powers, Ragan, Ramsey, Rudd, Russell, Sanderson, Sexton C, Sexton J, Shaw, Smith, Sparks, Staples, Stewart, Terry, Thompson, Todd, Towns, Travis, Vaughan, White, Whitson, Windle, Wright, Zachary, Mr. Speaker Casada--82

Representatives voting no were: Calfee, Carr, Crawford, Doggett, Howell, Marsh, Sherrell, Van Huss--8

A motion to reconsider was tabled.

House Bill No. 771 -- TennCare - As introduced, enacts the "Annual Coverage Assessment of 2019." - Amends TCA Title 71, Chapter 5 and Chapter 888 of the Public Acts of 2018. by *Hazlewood, *Travis, *Williams, *Holsclaw. (*SB474 by *Haile, *Crowe)

Rep. Hazlewood moved that House Bill No. 771 be passed on third and final consideration.

Rep. Travis moved adoption of Insurance Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 771 by deleting all language after the enacting clause and substituting the following:

SECTION 1. Tennessee Code Annotated, Title 71, Chapter 5, Part 20, is amended by deleting the part and substituting the following:

71-5-2001.

This part shall be known and may be cited as the "Annual Coverage Assessment Act of 2019."

71-5-2002.

As used in this part:

(1) "Annual coverage assessment" means the annual assessment imposed on covered hospitals as set forth in this part;

(2) "Annual coverage assessment base" means a covered hospital's net patient revenue as shown in its medicare cost report for its fiscal year that ended during calendar year 2016, on file with CMS as of September 30, 2018, subject to the following qualifications:

(A) If a covered hospital does not have a full twelve-month medicare cost report for 2016 on file with CMS but has a full twelve-month cost report for a subsequent year, then the first full twelve-month medicare cost report for a year following 2016 on file with CMS is the annual coverage assessment base;

(B) If a covered hospital does not have a full twelve-month medicare cost report for 2016 on file with CMS and does not have a full twelve-month cost report for a subsequent year, but has a cost report for 2016 that covers at least nine (9) months of 2016, then the assessment base is calculated by annualizing the 2016 cost report data;

(C) If a covered hospital was first licensed in 2016 or later and did not replace an existing hospital, and if the hospital has a

1685

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medicare cost report on file with CMS, then the hospital's initial cost report on file with CMS is the base for the hospital assessment. If the hospital does not have an initial cost report on file with CMS but does have a complete twelve-month joint annual report filed with the department of health, then the net patient revenue from the first twelve-month joint annual report is the annual coverage assessment base. If the hospital does not have a medicare cost report or a full twelve-month joint annual report filed with the department of health, then the annual coverage assessment base is the covered hospital's projected net patient revenue for its first full year of operation as shown in its certificate of need application filed with the health services and development agency;

(D) If a covered hospital was first licensed in 2016 or later and replaced an existing hospital, then the annual coverage assessment base is the replacement hospital's initial medicare cost report on file with CMS. If the hospital does not have a medicare cost report on file with CMS, then the hospital's annual coverage assessment base is either the predecessor hospital's net patient revenue as shown in its medicare cost report for its fiscal year that ended during calendar year 2016, or, if the predecessor hospital does not have a 2016 medicare cost report, the cost report for the first fiscal year following 2016 on file with CMS;

(E) If a covered hospital is not required to file an annual medicare cost report with CMS, then the hospital's annual coverage assessment base is its net patient revenue for the fiscal year ending during calendar year 2016 or the first fiscal year that the hospital was in operation after 2016 as shown in the covered hospital's joint annual report filed with the department of health; and

(F) If a covered hospital's fiscal year 2016 medicare cost report is not contained in any of the CMS healthcare cost report information system files and if the hospital does not meet any of the other qualifications listed in subdivisions (2)(A)-(E), then the hospital must submit a copy of the hospital's 2016 medicare cost report to the bureau in order to allow for the determination of the hospital's net patient revenue for the state fiscal year 2019-2020 annual coverage assessment;

(3) "Bureau" means the bureau of TennCare;

(4) "CMS" means the federal centers for medicare and medicaid services;

(5) "Controlling person" means a person who, by ownership, contract, or otherwise, has the authority to control the business operations of a covered hospital. As used in this subdivision (5), "control" means indirect or direct ownership of ten percent (10%) or more of a covered hospital;

(6) "Covered hospital" means a hospital licensed under title 33 or title 68, as of July 1, 2019, but does not include an excluded hospital;

(7) "Excluded hospital" means:

(A) A hospital that has been designated by CMS as a critical access hospital as of July 1, 2019;

(B) A mental health hospital owned by this state;

(C) A hospital providing primarily rehabilitative or long-term acute care services;

(D) A children's research hospital that does not charge patients for services beyond that reimbursed by third-party payers; and

(E) A hospital that is determined by the bureau as eligible to certify public expenditures for the purpose of securing federal medical assistance percentage payments;

(8) "Medicare cost report" means CMS-2552-10 or a subsequent form adopted by CMS for medicare cost reporting, the cost report for electronic filing of hospitals, for the period applicable as set forth in this section; and

(9) "Net patient revenue" from the medicare cost report means the amount calculated in accordance with generally accepted accounting principles for hospitals that is reported on Worksheet G-3, Column 1, Line 3, of the 2016 medicare cost report, excluding long-term care inpatient ancillary and other non-hospital revenues, or, in the case of a hospital that did not file a 2016 medicare cost report, comparable data from the first complete cost report filed after 2016 by the hospital.

71-5-2003.

(a) There is imposed on each covered hospital licensed as of July 1, 2019, an annual coverage assessment for fiscal year (FY) 2019-2020 as set forth in this part.

(b) The annual coverage assessment imposed by this part is not effective and validly imposed until the bureau has provided the Tennessee Hospital Association with written notice that includes:

(1) A determination from CMS that the annual coverage assessment is a permissible source of revenue that must not adversely affect the amount of federal financial participation in the TennCare program;

(2) Either:

(A) Approval from CMS for the distribution of the full amount of directed payments to hospitals to offset unreimbursed TennCare costs as described in § 71-5-2005(d)(2) as long as no assessment installment is collected prior to the distribution of the installment of the directed payments; or

(B) The rules promulgated by the bureau pursuant to § 71-5-2004(j)(2); and

(3) Confirmation that all contracts between hospitals and managed care organizations comply with the hospital rate variation corridors set forth in § 71-5-161.

(c) The general assembly intends that the proceeds of the annual coverage assessment not be used as a justification to reduce or eliminate state funding to the TennCare program. The annual coverage assessment is not effective and validly imposed if the coverage or the amount of revenue available for expenditure by the TennCare program in FY 2019-2020 is less than:

(1) The governor's FY 2019-2020 recommended budget level; plus

(2) Additional appropriations made by the general assembly to the TennCare program for FY 2019-2020, except to the extent new federal funding is available to replace funds that are appropriated as described in subdivision (c)(1) and that are above the amount that the state receives from CMS under the regular federal matching assistance percentage.

(d)

(1)

(A) The general assembly intends that the proceeds of the annual coverage assessment not be used as justification for any TennCare managed care organization to implement across-the-board rate reductions to negotiated rates with covered or excluded

hospitals or physicians in existence on July 1, 2019. For those rates in effect on July 1, 2019, the bureau shall include provisions in the managed care organizations' contractor risk agreements that prohibit the managed care organizations from implementing across-the-board rate reductions to covered or excluded network hospitals or physicians by specific service, category, or type of provider. The requirements of the preceding sentence also apply to services or settings of care that are ancillary to the primary license of a covered or excluded hospital or physician, but do not apply to reductions in benefits or reimbursement for the ancillary services if the reductions:

(i) Are different from those items being funded in § 71-5- 2005(d); and

(ii) Have been communicated in advance of implementation to the general assembly and the Tennessee Hospital Association.

(B)

(i) For purposes of this subsection (d), "services or settings of care that are ancillary to the primary license of a covered or excluded hospital or physician" includes all services where the physician or covered or excluded hospital, including a wholly owned subsidiary or controlled affiliate of a covered or excluded hospital or hospital system, holds more than a fifty percent (50%) controlling interest in the ancillary services or settings of care, but does not include any other ancillary services or settings of care. For across-the-board rate reductions to ancillary services or settings of care, the bureau shall include appropriate requirements for notice to providers in the managed care organizations' contractor risk agreements.

(ii) For purposes of this subsection (d), "services or settings of care that are ancillary" means, but is not limited to, ambulatory surgical facilities, free standing emergency departments, outpatient treatment clinics or imaging centers, dialysis centers, home health and related services, home infusion therapy services, outpatient rehabilitation, or skilled nursing services.

(iii) For purposes of this subsection (d), "physician" includes a physician licensed under title 63, chapter 6 or chapter 9, and a group practice of physicians that hold a contract with a managed care organization.

(2) This subsection (d) does not preclude good faith negotiations between managed care organizations and covered or excluded hospitals, hospital systems, and physicians on an individualized, case-by-case basis, nor is this subsection (d) intended by the general assembly to serve as justification for managed care organizations in this state, covered or excluded hospitals, hospital systems, or physicians to unreasonably deny any party the ability to enter into the individualized, case-by-case good faith negotiations. Good faith negotiation necessarily implies mutual cooperation between the negotiating parties and may include, but is not limited to, the right to terminate contractual agreements, the ability to modify negotiated rates, pricing, or units of service, the ability to alter payment methodologies, and the ability to enforce existing managed care techniques or to implement new managed care techniques.

(3) This subsection (d) does not preclude the full implementation of the requirements set forth in § 71-5-161.

(4) Notwithstanding this subsection (d), if CMS mandates a TennCare program change or a change is required by state or federal law that impacts rates, and that change is required to be implemented by the managed care organizations in accordance with their contracts, or if the annual coverage assessment becomes invalid, then nothing in this part prohibits the managed care organizations from implementing any rate changes as may be mandated by the bureau or by state or federal law.

71-5-2004.

(a) The annual coverage assessment established for this part is four and eighty-seven hundredths percent (4.87%) of a covered hospital's annual coverage assessment base.

(b) The annual coverage assessment must be paid in installments pursuant to this subsection (b) if the requirements of § 71-5-2003(b) have been satisfied. The bureau shall establish a schedule of four (4) equal installment payments spread as evenly as possible throughout FY 2019-2020 with the first installment payment due fifteen (15) days after the first FY 2019-2020 directed payments approved by CMS to offset unreimbursed TennCare costs have been made to hospitals.

(c) To facilitate collection of the annual coverage assessment, the bureau shall send each covered hospital, at least thirty (30) days in advance of each installment payment due date, a notice of payment along with a return form developed by the bureau. Failure of a covered hospital to receive a notice and return form, however, does not relieve a covered hospital from the obligation of timely payment. The bureau shall also post the return form on its website.

(d) Failure of a covered hospital to pay an installment of the annual coverage assessment, when due, results in an imposition of a penalty of five

hundred dollars (\$500) per day until the installment is paid in full. The bureau at its discretion may waive the penalty if the hospital establishes that it attempted to mail or electronically transfer payment to the state on or before the date the payment was due.

(e) If a covered hospital ceases to operate or changes status to be an excluded hospital after July 1, 2019, and before July 1, 2020, the hospital's total annual coverage assessment is equal to its annual coverage assessment base multiplied by a fraction, the denominator of which is the number of calendar days from July 1, 2019, until July 1, 2020, and the numerator of which is the number of days from July 1, 2019, until the date the board for licensing healthcare facilities has recorded as the date that the hospital changed status or ceased operation.

(f) If a covered hospital ceases operation prior to payment of its full annual coverage assessment, then the person controlling the hospital as of the date the hospital ceased operation is jointly and severally responsible for any remaining annual coverage assessment installments and unpaid penalties associated with previous late payments.

(g) If a covered hospital is sold after July 1, 2019 and before July 1, 2020, the seller is responsible for any annual coverage assessment payments due for the period up to and including the date the sale is final. If the hospital continues to operate in this state and continues to meet the definition of a covered hospital, then the new owner is responsible for paying all coverage assessment amounts due for the period beginning on the day after the date of the sale until July 1, 2020.

(h) If a covered hospital fails to pay an installment of the annual coverage assessment within thirty (30) days of its due date, then the bureau must suspend the payments to the hospital as required by § 71-5-2005(d)(2) or (d)(3) until the installment is paid and report the failure to the department that licenses the covered hospital. Notwithstanding any other law, failure of a covered hospital to pay an installment of the annual coverage assessment or any refund required by this part is considered a license deficiency and grounds for disciplinary action as set forth in the statutes and rules under which the covered hospital is licensed.

(i) In addition to the action required by subsection (h), the bureau is authorized to file a civil action against a covered hospital and its controlling person or persons to collect delinquent annual coverage assessment installments, late penalties, and refund obligations established by this part. Exclusive jurisdiction and venue for a civil action authorized by this subsection (i) is in the chancery court for Davidson County.

(j)

(1) If any federal agency with jurisdiction over this annual coverage assessment determines that the annual coverage assessment is not a valid source of revenue or if there is a reduction of the coverage and funding of the TennCare program contrary to § 71-5-2003(c), or if the

requirements of §§ 71-5- 161 and 71-5-2003(b) are not fully satisfied, or if one (1) or more managed care organizations impose rate reductions contrary to § 71-5-2003(d), then:

(A) No subsequent installments of the annual coverage assessment are due and payable; and

(B) No further payments must be paid to hospitals pursuant to § 71-5-2005(d)(2) or (d)(3) after the date of the event.

(2)

(A) Notwithstanding this part, if CMS discontinues approval of or otherwise fails to approve the full amount of directed payments to hospitals to offset losses incurred from providing services to TennCare enrollees as authorized under § 71-5-2005(d), then the bureau must suspend any payments from or to covered hospitals otherwise required by this part and must promulgate rules that:

(i) Establish the methodology for determining the amounts, categories, and times of payments to hospitals, if any, instead of the payments that otherwise would have been paid under § 71-5- 2005(d)(3) if approved by CMS;

(ii) Prioritize payments to hospitals as set forth in § 71-5- 2005(d)(3);

(iii) Identify the benefits and services for which funds will be available in order to mitigate reductions or eliminations that otherwise would be imposed in the absence of the coverage assessment;

(iv) Determine the amount and timing of payments for benefits and services identified under subdivisions (j)(2)(A)(ii) and (iii) as appropriate;

(v) Reinstitute payments from or to covered hospitals as appropriate; and

(vi) Otherwise achieve the goals of this subdivision (j)(2).

(B) The rules adopted under this subdivision (j)(2) must, to the extent possible, achieve the goals of:

(i) Maximizing the amount of federal matching funds available for the TennCare program; and

(ii) Minimizing the variation between payments hospitals will receive under the rules as compared to payments hospitals would have received if CMS had approved the total payments described in § 71-5-2005(d).

(C) Notwithstanding any other law, the bureau is authorized to exercise emergency rulemaking authority to the extent necessary to meet the objectives of this subdivision (j)(2).

(3) Upon occurrence of any of the events set forth in subdivision (j)(1) or (j)(2), the bureau shall then have authority to make necessary changes to the TennCare budget to account for the loss of annual coverage assessment revenue.

(k) A covered hospital or an association representing covered hospitals, the membership of which includes thirty (30) or more covered hospitals, has the right to file a petition for a declaratory order pursuant to § 4-5-223 to determine if there has been a failure to meet any of the requirements of this part. A covered hospital may not increase charges or add a surcharge based on, or as a result of, the annual coverage assessment.

71-5-2005.

(a) The funds generated as a result of this part must be deposited in the maintenance of coverage trust fund created by § 71-5-160, the existence of which is continued as provided in subsection (b). The fund must not be used to replace any monies otherwise appropriated to the TennCare program by the general assembly or to replace any monies appropriated outside of the TennCare program.

(b) The maintenance of coverage trust fund must continue without interruption and must be operated in accordance with § 71-5-160 and this section.

(c) The maintenance of coverage trust fund consists of:

(1) The balance of the trust fund remaining as of June 30, 2019;

(2) All annual coverage assessments received by the bureau;

(3) Investment earnings credited to the assets of the maintenance of coverage trust fund; and

(4) Penalties paid by covered hospitals for late payment of assessment installments imposed by this part or any prior statute authorizing an annual coverage assessment.

(d) Monies credited or deposited to the maintenance of coverage trust fund, together with all federal matching funds, must be available to and used by the bureau only for expenditures in the TennCare program and include the following purposes:

(1) Expenditure for benefits and services under the TennCare program, including those that would have been subject to reduction or elimination from TennCare funding for FY 2019-2020, except for the availability of one-time funding for that year only, as follows:

(A) Replacement of across-the-board reductions in covered and excluded hospital and professional reimbursement rates described in the governor's recommended budgets since FY 2011 except for any reductions that were included on a list for a given year but then funded in a subsequent year with recurring state dollars;

(B) Maintenance of virtual DSH fund payments and uncompensated care fund for charity care payments in accordance with, and as those payments are defined in, the TennCare 1115 demonstration waiver from CMS, to the maximum amount of the virtual DSH fund and uncompensated care fund for charity care allowed by CMS under the TennCare waiver;

(C) Maintenance of payments for graduate medical education of at least fifty million dollars (\$50,000,000);

(D) Maintenance of reimbursement for medicare part A crossover claims at the lesser of one hundred percent (100%) of medicare allowable or the billed amount;

(E) Avoidance of any coverage limitations relative to the number of hospital inpatient days per year or the annual cost of hospital services for a TennCare enrollee;

(F) Avoidance of any coverage limitations relative to the number of nonemergency outpatient visits per year for a TennCare enrollee;

(G) Avoidance of any coverage limitations relative to the number of physician office visits per year for a TennCare enrollee;

(H) Avoidance of coverage limitations relative to the number of laboratory and diagnostic imaging encounters per year for a TennCare enrollee;

(I) Maintenance of coverage for occupational therapy, physical therapy, and speech therapy services;

(J) In the total amount of five hundred eighty-one thousand two hundred and eighty-five dollars (\$581,285) to maintain reimbursement at the same emergency care rate as in FY 2018-2019 for nonemergent care to children twelve (12) to twenty-four (24) months of age;

(K) In the total amount of two million seventy-seven thousand five hundred dollars (\$2,077,500) to the bureau to offset the elimination of the provision in the TennCare managed care contractor risk agreements for hospitals as follows:

CRA 2.12.9.60-Specify in applicable provider agreements that all providers who participate in the federal 340B program give TennCare MCOs the benefit of 340B pricing;

(L) In the total amount of two hundred seventy-five thousand dollars (\$275,000) to offset a portion of the hospital cost of providing admissions, discharge, and transfer (ADT) messages to the TennCare bureau to support the TennCare Patient Centered Medical Home initiative;

(M) In the total amount of seven hundred fifty thousand dollars (\$750,000) to provide funding for stipends for physicians and other healthcare providers who commit to work in designated medically underserved areas in this state; and

(N) In the amount of three million dollars (\$3,000,000) to offset the unreimbursed cost of charity care for critical access hospitals to be funded from funds remaining in the trust fund as of June 30, 2019;

(2) Directed payments to hospitals to reduce unreimbursed costs incurred by covered hospitals in providing services to TennCare patients, as approved by CMS and as directed in subdivision (d)(3)(B);

(3)

(A) If CMS does not approve directed payments to hospitals to offset unreimbursed costs incurred in serving TennCare patients, but instead approves hospital supplemental pools in the TennCare waiver for that purpose, then payments required by this subdivision (d)(3) must be made from the allocated pools to covered hospitals to offset losses incurred in providing services to TennCare enrollees as set forth in this subdivision (d)(3) as first priority before any other supplemental payments authorized in the TennCare waiver are distributed;

(B) Directed payments to hospitals must be based on the amounts paid to covered hospitals during each quarter of FY

1695

2019-2020. Each covered hospital is entitled to payments for FY 2019-2020 of a portion of its unreimbursed TennCare costs of providing services to TennCare enrollees. As used in this subdivision (d)(3)(B), "unreimbursed TennCare costs" means the excess of TennCare costs over TennCare net revenue. TennCare charges and net revenue are calculated using data from Schedule E, items (A)(1)(e) and (A)(1)(f) from the hospital's 2017 joint annual report (JAR) filed with the department of health. As used in this subdivision (d)(3)(B), "TennCare costs" means the quotient of a facility's cost-to-charge ratio, calculated as B(3) (total expenses) divided by A(3)(e) (total gross patient charges) from Schedule E of the 2017 JAR, times TennCare charges. The amount of the payment to covered hospitals must be no less than forty-four and nine hundredths percent (44.09%) of unreimbursed TennCare costs for all hospitals licensed by the state that reported TennCare charges and revenue and total expenses on the 2017 joint annual report (JAR), excluding state-owned hospitals;

(C) The payments required by this subdivision (d)(3) must be made in four (4) equal installments. The bureau shall provide to the Tennessee Hospital Association a schedule showing the payments to each hospital at least seven (7) days in advance of the payments; and

(D) The payments required by this subdivision (d)(3) may be made by the bureau directly or by the TennCare managed care organizations with the direction to make payments to hospitals as required by this subsection (d). The payments to a hospital pursuant to this subdivision (d)(3) are not part of the reimbursement to which a hospital is entitled under its contract with a TennCare managed care organization;

(4) Refunds to covered hospitals based on the payment of annual coverage assessments or penalties to the bureau through error, mistake, or a determination that the annual coverage assessment was invalidly imposed; and

(5) Payments authorized under rules promulgated by the bureau pursuant to § 71-5-2004(j)(2).

(e) The bureau shall modify the contracts with TennCare managed care organizations and otherwise take action necessary to assure the use and application of the assets of the maintenance of coverage trust fund, as described in subsection (d).

(f) The bureau shall submit requests to CMS to modify the medicaid state plan, the contractor risk agreements, or the TennCare II Section 1115 demonstration project, as necessary, to implement the requirements of this part.

(g) At quarterly intervals beginning September 1, 2019, the bureau shall submit a report to the finance, ways and means committees of the senate and the house of representatives, to the health and welfare committee of the senate, and to the health committee of the house of representatives, which report must include:

(1) The status, if applicable, of the determination and approval by CMS set forth in § 71-5-2003(b) of the annual coverage assessment;

(2) The balance of funds in the maintenance of coverage trust fund; and

(3) The extent to which the maintenance of coverage trust fund has been used to carry out this part.

(h) No part of the maintenance of coverage trust fund must be diverted to the general fund or used for any purpose other than as set forth in this part.

71-5-2006.

This part expires on July 1, 2020. However, the following rights and obligations survive the expiration:

(1) The authority of the bureau to impose late payment penalties and to collect unpaid annual coverage assessments and required refunds;

(2) The rights of a covered hospital or an association of covered hospitals to file a petition for declaratory order to determine compliance with this part;

(3) The existence of the maintenance of coverage trust fund and the obligation of the bureau to use and apply the assets of the maintenance of coverage trust fund; and

(4) The obligation of the bureau to implement and maintain the requirements of § 71-5-161.

71-5-2007.

The comptroller of the treasury is authorized to audit the expenditure of funds pursuant to this part from the maintenance of coverage trust fund. At the discretion of the comptroller of the treasury, the audit may be prepared by a certified public accountant, a public accountant, or by the department of audit. Notwithstanding § 71-5-2005, the bureau of TennCare and the maintenance of coverage trust fund must bear the full costs of the audit.

SECTION 2. Tennessee Code Annotated, Section 71-5-2005(d)(1), is amended by adding the following as a new subdivision:

(O) In the total amount of ten million nine hundred and six thousand eight hundred and seventy-five dollars (\$10,906,875) to fund the cost of increasing the children's pool and critical access hospital pool payments for FY 2018-2019;

SECTION 3. Section 1 of this act shall take effect June 30, 2019, at 12:01 a.m., the public welfare requiring it. Section 2 of this act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Insurance Committee Amendment No. 1 was adopted.

Rep. Hazlewood moved that **House Bill No. 771**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 94
Noes 1

Representatives voting aye were: Baum, Beck, Boyd, Bricken, Byrd, Calfee, Camper, Carr, Carter, Cepicky, Chism, Clemmons, Cochran, Coley, Cooper, Crawford, Curcio, Daniel, DeBerry, Dixie, Doggett, Dunn, Eldridge, Faison, Farmer, Freeman, Gant, Garrett, Griffey, Hakeem, Halford, Hall, Hardaway, Haston, Hawk, Hazlewood, Helton, Hicks, Hill M, Hill T, Hodges, Holsclaw, Holt, Howell, Hulse, Jernigan, Johnson C, Johnson G, Keisling, Kumar, Lafferty, Lamar, Lamberth, Leatherwood, Littleton, Love, Marsh, Miller, Mitchell, Moon, Ogles, Parkinson, Potts, Powell, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Sanderson, Sexton C, Sexton J, Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Terry, Thompson, Tillis, Todd, Towns, Travis, Van Huss, Vaughan, Weaver, White, Whitson, Wright, Zachary, Mr. Speaker Casada--94

Representatives voting no were: Windle--1

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member desires to change their original stand from "not voting" to "aye" on **House Bill No. 771** and have this statement entered in the Journal: Rep. Williams.

REGULAR CALENDAR, CONTINUED

***House Bill No. 71** -- Alcoholic Beverages - As introduced, authorizes the sale of alcoholic beverages and beer for consumption on the premises of Zoo Knoxville during the zoo's regular operating hours. - Amends TCA Title 57, Chapter 4. by *Staples, *Powell. (SB181 by *Massey)

MONDAY, APRIL 22, 2019 -- THIRTY-FIRST LEGISLATIVE DAY UNOFFICIAL VERSION

On motion, House Bill No. 71 was made to conform with **Senate Bill No. 181**; the Senate Bill was substituted for the House Bill.

Rep. Staples moved that Senate Bill No. 181 be passed on third and final consideration.

Rep. Camper moved the previous question, which motion prevailed.

Rep. Staples moved that **Senate Bill No. 181** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	55
Noes.....	39

Representatives voting aye were: Baum, Beck, Bricken, Camper, Chism, Clemmons, Coley, Cooper, Curcio, Daniel, Dixie, Eldridge, Faison, Farmer, Freeman, Gant, Garrett, Griffey, Hakeem, Hall, Hardaway, Helton, Hodges, Holsclaw, Hulsey, Jernigan, Johnson C, Johnson G, Lafferty, Lamar, Marsh, Miller, Mitchell, Moon, Ogles, Parkinson, Potts, Powell, Ragan, Ramsey, Rudder, Sanderson, Sexton C, Shaw, Smith, Staples, Stewart, Terry, Thompson, Towns, Travis, Vaughan, Whitson, Wright, Mr. Speaker Casada--55

Representatives voting no were: Boyd, Byrd, Calfee, Carr, Carter, Cepicky, Cochran, Crawford, DeBerry, Doggett, Dunn, Halford, Haston, Hawk, Hicks, Hill M, Hill T, Holt, Howell, Keisling, Kumar, Lamberth, Leatherwood, Littleton, Lynn, Powers, Reedy, Rudd, Russell, Sexton J, Sherrell, Sparks, Tillis, Todd, Van Huss, Weaver, White, Windle, Zachary--39

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member desires to change their original stand from "not voting" to "aye" on **Senate Bill No. 181** and have this statement entered in the Journal: Rep. Love.

REGUALR CALENDAR, CONTINUED

***House Joint Resolution No. 122** -- Constitutional Amendments - Proposes an amendment to the Constitution of Tennessee to provide for the exercise of powers and duties of the governor during disability. by *Lamberth, *Sexton C.

Further consideration of House Joint Resolution No. 122, previously considered on April 10, 2019, April 11, 2019 and April 18, 2019, at which time the House adopted Amendment No. 1.

BILL HELD ON DESK

Rep. Lamberth moved that **House Joint Resolution No. 122** be held on the Clerk's desk, which motion prevailed.

REGULAR CALENDAR, CONTINUED

***Senate Joint Resolution No. 159** -- Constitutional Amendments - As introduced, proposes an amendment to Article I, Section 33 of the Constitution of Tennessee removing the criminal punishment exception from slavery and involuntary servitude prohibition. by *Akbari, *Robinson, *Lundberg, *Kyle, *Bowling, *Gilmore, *Dickerson, *White. (*Towns, *Hardaway, *Clemmons, *Stewart, *Hodges, *Potts, *Johnson G, *Thompson, *Freeman, *Coley, *Lamar, *Love, *Faison, *Camper, *Dixie)

Senate Joint Resolution No. 159 was previously considered on April 15, 2019 and April 18, 2019, for the first two Constitutional readings.

Rep. Towns requested the Clerk read Senate Joint Resolution No. 159 for the third and final Constitutional reading, as prescribed by the Constitution of the State of Tennessee.

The Clerk read Senate Joint Resolution No. 159.

Rep. Towns moved that the House concur in **Senate Joint Resolution No. 159**, which motion prevailed by the following vote:

Ayes 97
Noes..... 0

Representatives voting aye were: Baum, Beck, Boyd, Bricken, Byrd, Calfee, Camper, Carr, Carter, Cepicky, Chism, Clemmons, Cochran, Coley, Cooper, Crawford, Curcio, Daniel, DeBerry, Dixie, Doggett, Dunn, Eldridge, Faison, Farmer, Freeman, Gant, Garrett, Griffey, Hakeem, Halford, Hall, Hardaway, Haston, Hawk, Hazlewood, Helton, Hicks, Hill M, Hill T, Hodges, Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson C, Johnson G, Keisling, Kumar, Lafferty, Lamar, Lamberth, Leatherwood, Littleton, Love, Lynn, Marsh, Miller, Mitchell, Moon, Ogles, Parkinson, Potts, Powell, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Sanderson, Sexton C, Sexton J, Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Terry, Thompson, Tillis, Todd, Towns, Travis, Van Huss, Vaughan, Weaver, White, Whitson, Williams, Windle, Wright, Zachary, Mr. Speaker Casada--97

Senate Joint Resolution No. 159, having been read three separate times on three separate days, received a vote in the affirmative by a majority of the members elected to the Tennessee House of Representatives of the One Hundred Eleventh General Assembly and was declared concurred in pursuant to Article 11, Section 3 of the Constitution of the State of Tennessee.

A motion to reconsider was tabled.

House Bill No. 711 -- Health, Dept. of - As introduced, requires the department to study the feasibility of requiring emergency rooms to report data on incidences of persons presenting at the emergency room within 30 days of an invasive surgical procedure that was performed at a non-hospital facility; requires the department to submit a report of findings and its recommendations no later than January 1, 2020. - Amends TCA Title 4; Title 63; Title 68 and Title 71. by *Terry, *Todd, *Smith, *Helton. (*SB614 by *Reeves)

1700

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MONDAY, APRIL 22, 2019 -- THIRTY-FIRST LEGISLATIVE DAY UNOFFICIAL VERSION

Further consideration of House Bill No. 711, previously considered on April 4, 2019, April 11, 2019 and April 18, 2019, at which time it was reset for today's Calendar.

On motion, House Bill No. 711 was made to conform with **Senate Bill No. 614**; the Senate Bill was substituted for the House Bill.

Rep. Terry moved that Senate Bill No. 614 be passed on third and final consideration.

Rep. Helton moved that Health Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Terry moved that **Senate Bill No. 614** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	77
Noes.....	17
Present and not voting.....	3

Representatives voting aye were: Baum, Boyd, Bricken, Byrd, Calfee, Carr, Carter, Cepicky, Cochran, Coley, Crawford, Curcio, Daniel, Doggett, Dunn, Eldridge, Faison, Farmer, Gant, Garrett, Griffey, Halford, Hall, Hardaway, Haston, Hawk, Hazlewood, Helton, Hicks, Hill M, Hill T, Holsclaw, Holt, Howell, Hulsey, Johnson C, Keisling, Kumar, Lafferty, Lamberth, Leatherwood, Littleton, Love, Lynn, Marsh, Miller, Moon, Ogles, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Sanderson, Sexton C, Sexton J, Shaw, Sherrell, Smith, Sparks, Staples, Terry, Tillis, Todd, Travis, Van Huss, Vaughan, Weaver, White, Whitson, Williams, Windle, Wright, Zachary, Mr. Speaker Casada--77

Representatives voting no were: Camper, Chism, Clemmons, Cooper, Dixie, Freeman, Hakeem, Hodges, Jernigan, Johnson G, Lamar, Mitchell, Parkinson, Potts, Powell, Stewart, Towns--17

Representatives present and not voting were: Beck, DeBerry, Thompson--3

A motion to reconsider was tabled.

***House Bill No. 1220** -- Traffic Safety - As introduced, establishes requirements for the operation of electric foot scooters. - Amends TCA Title 55, Chapter 1; Title 55, Chapter 10; Title 55, Chapter 12 and Title 55, Chapter 8. by *Potts, *Lamar. (SB1107 by *Dickerson)

On motion, House Bill No. 1220 was made to conform with **Senate Bill No. 1107**; the Senate Bill was substituted for the House Bill.

Rep. Potts moved that Senate Bill No. 1107 be passed on third and final consideration.

Rep. Howell moved that Transportation Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Potts moved that **Senate Bill No. 1107** be reset for the Regular Calendar on April 24, 2019, which motion prevailed.

1701

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CHAIR TO SPEAKER

Mr. Speaker Casada resumed the Chair.

REGULAR CALENDAR, CONTINUED

Senate Bill No. 634 -- Consumer Protection - As introduced, requires travel promoters to post a \$10,000 bond for each location doing business in this state. - Amends TCA Title 47 and Title 62. by *Johnson. (*HB1163 by *Ogles, *Whitson, *Hardaway, *White, *Helton)

Further consideration of Senate Bill No. 634, previously considered on April 8, 2019, April 15, 2019 and today's Regular Calendar, at which time the House substituted the Senate Bill for the House Bill and withdrew Amendments Nos. 1 and 2.

Rep. Ogles moved that **Senate Bill No. 634** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 96
Noes..... 0

Representatives voting aye were: Baum, Beck, Boyd, Bricken, Byrd, Calfee, Camper, Carr, Carter, Cepicky, Chism, Clemmons, Cochran, Coley, Cooper, Crawford, Curcio, Daniel, DeBerry, Dixie, Doggett, Dunn, Faison, Farmer, Freeman, Gant, Garrett, Griffey, Hakeem, Halford, Hall, Hardaway, Haston, Hawk, Hazlewood, Helton, Hicks, Hill M, Hill T, Hodges, Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson C, Johnson G, Keisling, Kumar, Lafferty, Lamar, Lamberth, Leatherwood, Littleton, Love, Lynn, Marsh, Miller, Mitchell, Moon, Ogles, Parkinson, Potts, Powell, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Sanderson, Sexton C, Sexton J, Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Terry, Thompson, Tillis, Todd, Towns, Travis, Van Huss, Vaughan, Weaver, White, Whitson, Williams, Windle, Wright, Zachary, Mr. Speaker Casada--96

A motion to reconsider was tabled.

***House Bill No. 1300** -- Insurance Companies, Agents, Brokers, Policies - As introduced, makes various changes to the "Revised Tennessee Captive Insurance Act," including allowing captives to get one change of business plan for free each year, allowing captives to hold their capital and surplus in currencies other than U.S. dollars, such as cryptocurrency, with the approval of the commissioner, and other changes. - Amends TCA Title 56. by *Casada, *Ogles. (SB1157 by *Jackson)

Rep. Ogles moved that House Bill No. 1300 be passed on third and final consideration.

Rep. Travis moved adoption of Insurance Committee Amendment No. 1 as follows:

Amendment No. 1

1702

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AMEND House Bill No. 1300 by deleting all language after the enacting clause and substituting the following:

SECTION 1. Tennessee Code Annotated, Section 56-4-101(a), is amended by deleting subdivision (8) and substituting the following:

(8) For receiving and reviewing a change of ownership, or a second or subsequent change of business plan in a calendar year for a captive insurance company, four hundred dollars (\$400); and

SECTION 2. Tennessee Code Annotated, Section 56-13-103(e), is amended by deleting the subsection and substituting the following:

(e) If the commissioner is satisfied that the documents and statements filed by an applicant captive insurance company comply with this chapter, then the commissioner may grant a license authorizing it to do insurance business in this state. The commissioner may make the license effective as of any date on or before the date the license is signed as long as the effective date is no earlier than the date of incorporation of the applicant captive insurance company.

SECTION 3. Tennessee Code Annotated, Section 56-13-104, is amended by designating the existing language as subsection (a) and adding the following as a new subsection:

(b) A license issued pursuant to this chapter is a "Certificate of Authority".

SECTION 4. Tennessee Code Annotated, Section 56-13-105, is amended by deleting subsection (c) and substituting the following:

(c)

(1) Capital and surplus required under subsection (a) must be in the form of cash, cash equivalent, marketable securities, or an irrevocable letter of credit issued by a bank approved by the commissioner.

(2) Marketable securities must consist of bonds of the United States, or any agency or instrumentality of the United States, which have been included in the three (3) highest grades by any of the recognized securities rating firms, bonds of this state, or bonds publicly issued by any solvent institution created or existing under the laws of the United States or any state of the United States, which have been included in the three (3) highest grades by any of the recognized securities rating firms.

(3) Captive insurance companies using marketable securities to meet the capital and surplus requirements of subsection (a) shall file with the commissioner a certificate of an official with whom the securities are deposited, stating the time and amount, and that the official is satisfied that they are worth the amount required under subsection (a) and that the

deposit is made with the official by the company for the protection of all policyholders and creditors.

(4) Notwithstanding subdivision (c)(1), the commissioner may decline to accept as a deposit any specific issue of securities that the commissioner has determined may not provide the necessary protection to policyholders and creditors.

SECTION 5. Tennessee Code Annotated, Section 56-13-112, is amended by deleting subsection (d) and substituting the following:

(d) Except where specifically provided otherwise, insurance by a captive insurance company of any workers' compensation or accident and health qualified self-insured plan of its parent and affiliates, and the assumption of risk by a captive insurance company under any service contract issued by a parent or affiliate, is deemed to be reinsurance.

SECTION 6. Tennessee Code Annotated, Title 56, Chapter 13, Part 1, is amended by adding the following as a new section:

56-13-118.

(a) No captive insurance company shall make any material change or changes to its plan of operation until the department has approved the change or changes.

(b) Notwithstanding § 56-4-101(a)(8), each captive insurance company is entitled to file one (1) material change of plan of operation each year free of charge. However, each subsequent material change of plan of operation filed during each year is subject to the fee described in § 56-4-101(a)(8).

(c) For purposes of this section and § 56-4-101(a)(8), the "plan of operation" and "business plan" have the same meaning.

(d) A change in any information filed with the application that does not constitute a material change, or a change otherwise requiring commissioner approval, must be filed with the commissioner within thirty (30) days, but does not require prior approval under this section.

(e) This section does not apply to a plan of operation change filed by a protected cell captive insurance company for the purposes of creating a new unincorporated or incorporated protected cell. This section applies to all other plan of operation changes filed by protected cell captive insurance companies on their own behalf or on behalf of an unincorporated or incorporated protected cell.

SECTION 7. Tennessee Code Annotated, Section 56-13-120, is amended by designating the existing language as subsection (a) and adding the following as a new subsection:

(b) Section 56-13-103(c)(3) applies to any action taken by the commissioner pursuant to this section.

SECTION 8. Tennessee Code Annotated, Title 56, Chapter 13, Part 1, is amended by adding the following as a new section:

(a) For purposes of this section:

(1) "Foreign" means outside the United States, its territories, or possessions;

(2) "Foreign currency" means currency issued by a government outside the United States that is recognized by the United States as a legitimate government-issued currency and freely exchangeable with United States currency; and

(3) "Foreign securities" means securities that are ordinarily traded on an exchange outside the United States.

(b) A captive insurance company or an individual cell of a captive insurance company may, with the approval of the commissioner, include within its plan of operation that the company will:

(1) Receive payments of premium in a specified foreign currency or foreign securities and will pay claims on insured losses in a specified currency or foreign securities;

(2) Authorize the payment of claims in a specified foreign currency or foreign securities; and

(3) Hold foreign currency or foreign securities as surplus for the payment of future claims.

(c) In determining the exchange rate between United States currency and the foreign currency or foreign securities, the captive insurance company shall identify in its approved plan of operation a publicly available and reliable exchange rate index. If the exchange rate index identified in the plan of operation is not available, then the commissioner must determine the appropriate exchange rate for the purpose of calculating the amount of premium tax due.

(d) For the purpose of calculating the amount of premium tax due under § 56-13-114, a policy issued by a captive insurance company payable in foreign currency or foreign securities is deemed to be of an equivalent value in United States currency as of the date that coverage is bound and is payable in United States currency when due under § 56-13-114.

(e) For captive insurance companies and protected cells that have received permission pursuant to subsection (b), all reports required to be filed

pursuant to § 56-13-108 must be converted to United States currency for the reporting period covered by the annual report.

SECTION 9. Tennessee Code Annotated, Section 56-13-204(1)(A), is amended by deleting the subdivision and substituting the following:

(A) A protected cell captive insurance company may establish one (1) or more protected cells if the commissioner has approved in writing a plan of operation or amendments to a plan of operation submitted by the protected cell captive insurance company with respect to each protected cell. A plan of operation must include, but is not limited to, the specific business objectives and investment guidelines of the protected cell. However, the commissioner may require additional information in the plan of operation. The commissioner may make the approval of a plan of operation or amendments to a plan of operation effective as of any date on or before the date the approval is signed as long as the effective date is no earlier than the date on which the plan of operation or amendments to the plan of operation were filed with the department;

SECTION 10. Tennessee Code Annotated, Section 56-13-204(1)(E), is amended by deleting the subdivision and substituting the following:

(E) An incorporated protected cell may be organized and operated in any form of business organization authorized by the commissioner, including, but not limited to, an individual series of a limited liability company as provided for in title 48, chapter 249. Each incorporated protected cell of a protected cell captive insurer must be treated as a captive insurer for purposes of this chapter and has the power to enter into contracts, including an individual series of a limited liability company. Unless otherwise permitted by the organizational documents of a protected cell captive insurer, each incorporated protected cell of the protected cell captive insurer must have the same directors, secretary, and registered office as the protected cell captive insurer;

SECTION 11. Tennessee Code Annotated, Section 56-13-204, is amended by adding the following as new subdivisions:

(17) Biographical affidavits are not required for participants in unincorporated cells. However, biographical affidavits are required for owners of incorporated cells, including series members of a series LLC; and

(18) A protected cell captive insurance company formed or licensed under this chapter may establish and operate both unincorporated and incorporated protected cells.

SECTION 12. Tennessee Code Annotated, Section 56-13-209, is amended by redesignating the current subsection (d) as subsection (e) and adding the following as a new subsection (d):

(d) With the consent of the affected protected cell captive insurance company or companies, the owners or the participants of the protected cells, and

the commissioner, an individual protected cell of a captive insurance company may merge or otherwise combine assets and liabilities with another individual protected cell of a protected cell captive insurance company. The commissioner may require the affected protected cell captive insurance companies and the individual protected cells to make necessary changes to their business plans, organizational documents, participation agreements, or other governing documents prior to approving the change in affiliation. The formation date of a protected cell that merges or otherwise combines assets and liabilities with another protected cell captive insurance company is the date of the original formation of the surviving protected cell. The surviving protected cell must acquire all of the assets and liabilities, including outstanding insurance liabilities, of the merging protected cell. A hearing is not required for mergers of protected cells effectuated under this section.

SECTION 13. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Insurance Committee Amendment No. 1 was adopted.

Rep. Lynn moved adoption of Finance, Ways, and Means Committee Amendment No. 1, as House Amendment No. 2, as follows:

Amendment No. 2

AMEND House Bill No. 1300 by deleting § 56-13-118(b) in SECTION 6 and substituting the following:

(b) Each subsequent material change of plan of operation filed during each year is subject to the fee described in § 56-4-101(a)(8).

AND FURTHER AMEND by deleting § 56-13-118(e) in SECTION 6.

AND FURTHER AMEND by deleting SECTION 1 and renumbering the remaining sections accordingly.

On motion, Finance, Ways, and Means Committee Amendment No. 1, as House Amendment No. 2, was adopted.

Rep. Ogles moved that **House Bill No. 1300**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 96
Noes 0

Representatives voting aye were: Baum, Beck, Boyd, Bricken, Byrd, Calfee, Camper, Carr, Carter, Cepicky, Chism, Clemmons, Cochran, Coley, Cooper, Crawford, Curcio, Daniel, DeBerry, Dixie, Doggett, Dunn, Faison, Farmer, Freeman, Gant, Garrett, Griffey, Hakeem, Halford, Hall, Hardaway, Haston, Hawk, Hazlewood, Helton, Hicks, Hill M, Hill T, Hodges, Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson C, Johnson G, Keisling, Kumar, Lafferty,

1707

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MONDAY, APRIL 22, 2019 -- THIRTY-FIRST LEGISLATIVE DAY UNOFFICIAL VERSION

Lamar, Lamberth, Leatherwood, Littleton, Love, Lynn, Marsh, Miller, Mitchell, Moon, Ogles, Parkinson, Potts, Powell, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Sanderson, Sexton C, Sexton J, Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Terry, Thompson, Tillis, Todd, Towns, Travis, Van Huss, Vaughan, Weaver, White, Whitson, Williams, Windle, Wright, Zachary, Mr. Speaker Casada--96

A motion to reconsider was tabled.

UNFINISHED BUSINESS

MOTION TO PLACE BILL ON CALENDAR

Rep. Lamberth moved that **House Bill No. 473** be placed on the Finance, Ways & Means Committee Calendar for April 23, 2019, which motion prevailed.

MOTION TO PLACE BILL ON CALENDAR

Rep. Lamberth moved that **Senate Joint Resolution No. 166** be placed on the Education Administration Subcommittee Calendar and if favorably considered to be places on the Education Calendar this week, which motion prevailed.

MOTION TO PLACE BILL ON CALENDAR

Rep. Lamberth moved that **Senate Joint Resolution No. 154** and **House Bill No. 1359** be placed on the Finance, Ways & Means Committee Calendar for April 23, 2019, which motion prevailed.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member desires to change their original stand from "aye" to "no" on **Senate Bill No. 731** and have this statement entered in the Journal: Rep. Shaw.

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Joint Resolution No. 132 Reps. Smith, Love, Kumar, Hardaway, Sparks, Hawk and Faison as prime sponsors.

House Bill No. 1 Rep. Potts as prime sponsor.

House Bill No. 238 Reps. Haston and Helton as prime sponsors.

MONDAY, APRIL 22, 2019 -- THIRTY-FIRST LEGISLATIVE DAY UNOFFICIAL VERSION

House Bill No. 257 Reps. Todd, Hazlewood, Moon, Ragan, Smith, Tillis, Helton, Staples, Hardaway, White, Doggett and Byrd as prime sponsors.

House Bill No. 326 Rep. Carter as prime sponsor.

House Bill No. 473 Rep. Rudder as prime sponsor.

House Bill No. 498 Rep. J. Sexton as prime sponsor.

House Bill No. 1284 Rep. Bricken as prime sponsor.

House Bill No. 1401 Rep. J. Sexton as prime sponsor.

**SIGNED
April 22, 2019**

The Speaker announced that he had signed the following: Senate Joint Resolutions Nos. 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 453, 454, 455, 456 and 513.

TAMMY LETZLER, Chief Clerk

**ENROLLED BILLS
April 22, 2019**

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Bills Nos. 73, 266, 571, 1517, 1522 and 1523; and find same correctly enrolled and ready for the signatures of the Speakers.

GREG GLASS, Chief Engrossing Clerk

**ENROLLED BILLS
April 22, 2019**

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Joint Resolutions Nos. 434, 435, 436, 437, 438, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450 and 451; and find same correctly enrolled and ready for the signatures of the Speakers.

GREG GLASS, Chief Engrossing Clerk

**SIGNED
April 22, 2019**

The Speaker announced that he had signed the following: House Joint Resolutions Nos. 434, 435, 436, 437, 438, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450 and 451.

GREG GLASS, Chief Engrossing Clerk

1709

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**MESSAGE FROM THE SENATE
April 22, 2019**

MADAM SPEAKER: I am directed to transmit to the House, HB658; The Senate adopted the Conference Committee Report and made it the action of the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

**MESSAGE FROM THE SENATE
April 22, 2019**

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution No. 97, was read for the first time on Monday, April 15th, it was read for the second time on Wednesday, April 17th and the third reading was on Thursday, April 18th. Senate Joint Resolution No. 97 was adopted by a majority vote of the Senate of the One Hundred Eleventh General Assembly of the State of Tennessee, pursuant to Article XI, Section 3 of the Constitution of Tennessee.

RUSSELL A. HUMPHREY, Chief Clerk

**MESSAGE FROM THE SENATE
April 22, 2019**

MR. SPEAKER: I am directed to return to the House, House Joint Resolutions Nos. 434, 435, 436, 437, 438, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450 and 451; signed by the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

**MESSAGE FROM THE SENATE
April 22, 2019**

MR. SPEAKER: I am directed to return to the House, House Bills Nos. 51, 86, 104, 187, 295, 381, 396, 536, 603, 655, 686, 705, 838, 868, 1078, 1142, 1190, 1242, 1303, 1342, 1388, 1503, 1505, 1506 and 1513; signed by the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

**MESSAGE FROM THE SENATE
April 22, 2019**

MR. SPEAKER: I am directed to transmit to the House, Senate Bills Nos. 42, 45, 53, 182, 355, 358, 367, 394, 450, 472, 536, 566, 708, 763, 857, 1166, 1195, 1241, 1264, 1373, 1375, 1398, 1468 and 1498; For the signature of the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

MESSAGE FROM THE SENATE

April 22, 2019

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution No. 1; For the signature of the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

SIGNED

April 22, 2019

The Speaker announced that he had signed the following: Senate Joint Resolution No. 1.

TAMMY LETZLER, Chief Clerk

MESSAGE FROM THE GOVERNOR

April 22, 2019

MR. SPEAKER: I am directed by the Governor to return herewith: House Joint Resolutions Nos. 398, 400, 401, 402, 403, 404, 405, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432 and 433; with his approval.

LANG WISEMAN, Deputy and Counsel to the Governor

SIGNED

April 22, 2019

The Speaker announced that he had signed the following: Senate Bills Nos. 42, 45, 53, 182, 355, 358, 367, 394, 450, 472, 536, 566, 708, 763, 857, 1166, 1195, 1241, 1264, 1373, 1375, 1398, 1468 and 1498.

TAMMY LETZLER, Chief Clerk

ENGROSSED BILLS

April 22, 2019

MR. SPEAKER: The following bills have been examined, engrossed and are ready for transmission to the Senate: House Bill No. 1317;

GREG GLASS, Chief Engrossing Clerk

ENGROSSED BILLS

April 22, 2019

1711

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MR. SPEAKER: The following bills have been examined, engrossed and are ready for transmission to the Senate: House Bill No. 339;

GREG GLASS, Chief Engrossing Clerk

MESSAGE FROM THE SENATE
April 22, 2019

MR. SPEAKER: I am directed to return to the House, House Bill No. 1233; substituted for Senate Bill on same subject, amended, and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

ENROLLED BILLS
April 22, 2019

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Resolutions Nos. 103, 104, 105 and 106; and find same correctly enrolled and ready for the signature of the Speaker.

GREG GLASS, Chief Engrossing Clerk

SIGNED
April 22, 2019

The Speaker announced that he had signed the following: House Resolutions Nos. 103, 104, 105 and 106.

GREG GLASS, Chief Engrossing Clerk

ROLL CALL

The roll call was taken with the following results:

Present..... 90

Representatives present were Baum, Beck, Boyd, Bricken, Byrd, Calfee, Camper, Carr, Carter, Chism, Clemmons, Cochran, Coley, Cooper, Crawford, Curcio, DeBerry, Dixie, Doggett, Dunn, Eldridge, Faison, Farmer, Freeman, Gant, Garrett, Griffey, Hakeem, Halford, Hall, Hardaway, Haston, Hawk, Hazlewood, Helton, Hicks, Hill M, Hill T, Hodges, Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson G, Keisling, Kumar, Lafferty, Lamar, Lamberth, Leatherwood, Littleton, Love, Lynn, Marsh, Miller, Moon, Ogles, Parkinson, Potts, Powell, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Sanderson, Sexton C, Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Terry, Thompson, Tillis, Todd, Towns, Travis, Van Huss, Vaughan, Weaver, White, Whitson, Williams, Wright, Zachary, Mr. Speaker Casada -- 90

RECESS
1712

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On motion of Rep. Lamberth, the House stood in recess until 9:00 a.m., Tuesday, April 23, 2019.